

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,

Plaintiffs,

V.

L'ORÉAL USA, INC., L'ORÉAL USA
PRODUCTS, INC., L'ORÉAL USA S/D,
INC., and REDKEN 5TH AVENUE
NYC, L.L.C.,

Defendants.

C. A. No. 1:17-cv-00014-JFB-SRF

**CONFIDENTIAL –
FILED UNDER SEAL**

EXHIBIT 1:
JOINT STATEMENT OF UNCONTESTED FACTS

I. PARTIES

1. Plaintiff Liqwd, Inc. is a California corporation, with its principal place of business in Santa Barbara, California.

2. Plaintiff Olaplex LLC (and together with Liqwd, Inc., “Olaplex”) is a California limited liability company, with its principal place of business in Santa Barbara, California.

3. Defendant L’Oréal USA, Inc. is a Delaware corporation, headquartered at 10 Hudson Yards, New York, New York.

4. Defendant L’Oréal USA Products, Inc. is a Delaware corporation, headquartered at 10 Hudson Yards, New York, New York, and is a subsidiary of L’Oréal USA, Inc.

5. Defendant L’Oréal USA S/D, Inc. is a Delaware corporation, headquartered at 10 Hudson Yards, New York, New York, and is a subsidiary of L’Oréal USA, Inc.

6. Defendant Redken 5th Avenue NYC L.L.C. is a New York limited liability company, headquartered at 10 Hudson Yards, New York, New York, and is a subsidiary of L’Oréal USA, Inc.

7. L’Oréal USA, Inc. manufactures and distribute hair care products under several brands, including “Matrix,” “Redken,” and “L’Oréal Professionnel.”

8. Olaplex formally launched its No. 1, No. 2 and No. 3 products (Olaplex Bond Multiplier, Bond Perfector, and Hair Perfector) via the Olaplex website in June 2014.

9. In late 2014, SalonCentric, a subsidiary of L’Oréal USA, Inc., became a distributor for the Olaplex products.

II. THE NDA

10. Olaplex and L'Oréal USA, Inc. met in person and corresponded at various times in 2015 to discuss a potential acquisition of Olaplex by L'Oréal USA, Inc.

11. On May 18, 2015, in connection with the potential acquisition, Olaplex LLC, on the one hand, and L'Oréal USA, Inc., on the other hand, executed a Non-Disclosure Agreements whereby Olaplex could, among other things, share its confidential nonpublic information with L'Oréal USA, Inc.

12. On May 23, 2015, in connection with the potential acquisition of Olaplex LLC, Liqwd, Inc., on the one hand, and L'Oréal USA, Inc., on the other hand, executed Non-Disclosure Agreements whereby Liqwd, Inc. could, among other things, share its confidential nonpublic information with L'Oréal USA, Inc., and the parties agreed to keep their discussions and the Non-Disclosure Agreements confidential in accordance with the terms therein.

III. ASSERTED PATENTS

A. U.S. Patent No. 9,498,419 (“the ’419 Patent”)

13. The ’419 Patent is entitled “Keratin Treatment Formulations and Methods.”

14. The ’419 Patent was issued by the United States Patent and Trademark Office (“USPTO”) on November 22, 2016.

15. The ’419 Patent issued from U.S. Patent Application No. 15/087,415, which was filed on March 31, 2016.

16. U.S. Patent Application No. 15/087,415 is a continuation of Application No. 14/713,885, which was filed on May 15, 2015 (now U.S. Patent No. 9,326,926).

17. U.S. Patent Application No. 14/713,885 was published as U.S. Patent Application Publication No. 2015/0328102 by the USPTO on November 19, 2015.

18. U.S. Patent Application No. 14/713,885 was issued as U.S. Patent No. 9,326,926 by the USPTO on May 3, 2016.

19. The '419 Patent claims priority to U.S. Provisional Application No. 61/994,709, which was filed on May 16, 2014.

20. The '419 Patent lists Drs. Eric D. Pressly and Craig J. Hawker as the named inventors.

21. Liqwd, Inc. is listed on the face of the '419 Patent as the Assignee.

22. On May 20, 2014, as amended on October 31, 2016, Liqwd, Inc. and Olaplex LLC entered into a license agreement whereby certain intellectual property, including the '419 Patent, was exclusively licensed to Olaplex LLC.

B. U.S. Patent No. 9,668,954 (“the '954 Patent”)

23. The '954 Patent is entitled “Keratin Treatment Formulations and Methods.”

24. The '954 Patent was issued by the USPTO on June 6, 2017.

25. The '954 Patent issued from U.S. Patent Application No. 15/415,464, which was filed on January 25, 2017.

26. U.S. Patent Application No. 15/415,464 was published as U.S. Patent Application Publication No. 2017/0128335 by the USPTO on May 11, 2017.

27. U.S. Patent Application No. 15/415,464 is a continuation of U.S. Application No. 15/290,593, which was filed on October 11, 2016, which is a continuation of U.S. Application No. 15/087,415, filed on March 31, 2016 (now the '419 Patent).

28. The '954 Patent claims priority to U.S. Provisional Application No. 61/994,709, which was filed on May 16, 2014.

29. The '954 Patent lists Drs. Eric D. Pressly and Craig J. Hawker as the named inventors.

30. Liqwd, Inc. is listed on the face of the '954 Patent as the Assignee.

31. On May 20, 2014, as amended on October 31, 2016, Liqwd, Inc. and Olaplex LLC entered into a license agreement whereby certain intellectual property, including the '954 Patent, was exclusively licensed to Olaplex LLC.

IV. ACCUSED PRODUCTS

32. Olaplex alleges that L'Oréal USA and its customers practice the claims of the '419 and '954 Patents when they use the Matrix Bond Ultim8, Redken pH-Bonder, and L'Oréal Professionnel Smartbond 3 step systems (collectively, "Accused Products") in accordance with the claimed methods for bleaching hair.

33. The Matrix Bond Ultim8 products have been publically available for sale since September 2016.

34. The Redken pH-Bonder products have been publically available for sale since August 2016.

35. The L'Oréal Professionnel Smartbond products have been publically available for sale since September 2016.

EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,)	
)	
Plaintiffs,)	
)	
v.)	C. A. No. 1:17-cv-00014-JFB-SRF
)	
L'ORÉAL USA, INC., L'ORÉAL USA)	CONFIDENTIAL –
PRODUCTS, INC., L'ORÉAL USA S/D,)	FILED UNDER SEAL
INC., and REDKEN 5 TH AVENUE)	
NYC, L.L.C.,)	
)	
Defendants.)	

EXHIBIT 2:
OLAPLEX'S STATEMENT OF ISSUES OF FACT TO BE LITIGATED AT TRIAL

Pursuant to Local Rule 16.3(c)(4), Plaintiffs and Counterclaim Defendants Liqwd, Inc. and Olaplex LLC (collectively, “Olaplex”) submit this Statement of Issues of Fact that Remain to be Litigated, which is based on Olaplex’s current understanding of the defenses and counterclaims of Defendants and Counterclaim Plaintiffs L’Oréal USA, Inc., L’Oréal USA Products, Inc., L’Oréal USA S/D, Inc., and Redken 5th Avenue NYC, L.L.C. (collectively, “L’Oréal”) and the proceedings in this action to date.

The following statements are not exhaustive, and Olaplex reserves the right to prove any matters identified in its pleadings, documentary and testimony evidence, infringement contentions, interrogatory responses, expert reports, and on Olaplex’s current understanding of L’Oréal’s claims that were disclosed for the first time after the close of discovery and on which Olaplex has not had any chance to take discovery. Olaplex also intends to offer evidence as to the issues of fact and issues of law identified in this pretrial order. Olaplex further intends to offer evidence to rebut evidence offered by L’Oréal. Olaplex reserves the right to modify or amend this statement to the extent necessary to reflect any future rulings by the Court and to supplement or amend this statement to fairly respond to any new issues that L’Oréal may raise. To the extent that Olaplex’s Statement of Issues of Law to be Litigated at Trial (Exhibit 4) contains issues of fact, those issues are incorporated herein by reference. Moreover, if any issue of fact identified below should properly be considered an issue of law, then such statement shall be considered to be part of Olaplex’s Statement of Issues of Law to be Litigated at Trial. Olaplex incorporates by reference its expert reports in support of any proof to be presented by expert testimony. By including a fact herein, Olaplex does not assume the burden of proof or production with regard to that fact.

**INFRINGEMENT OF U.S. PATENT NO. 9,498,419 (“THE ‘419 PATENT”)
(CONDITIONAL ON DECISION OF PENDING MOTIONS)**

A. Infringement of the ‘419 Patent

Direct Infringement

1. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal directly infringes the asserted claims of the ‘419 Patent by either having made, making, using, offering for sale, selling, and/or importing for sale the Accused Products.

Induced Infringement

2. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal induces infringement of the asserted claims of the ‘419 Patent by actively inducing others to use, offer for sale, and/or sell the Accused Products.

Willful Infringement

3. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal has willfully infringed the asserted claims of the ‘419 Patent.

B. Requested Relief for Infringement of the ‘419 Patent

4. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal directly infringes the asserted claims of the ‘419 Patent.

5. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal induces infringement of the asserted claims of the ‘419 Patent.

6. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal willfully infringes the asserted claims of the ‘419 Patent.

7. Whether Olaplex has proven that it is entitled to a permanent injunction enjoining L'Oréal, its parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, assigns, and attorneys, and any and all persons others acting in privity or concert with it from further infringement of the asserted claims of the '419 Patent.

8. Whether Olaplex has proven that it is owed damages for L'Oréal's infringement of the '419 Patent and, if so, in what amount.

9. Whether Olaplex has proven that it is entitled to an accounting of damages and/or supplemental damages for all damages occurring after any discovery cutoff and through the Court's decision regarding the imposition of a permanent injunction and post-verdict infringement and, if so, in what amount.

10. Whether Olaplex has proven that it is entitled to an award of prejudgment and post-judgment interest and, if so, in what amounts.

11. Whether Olaplex has proven that it is entitled to enhanced damages under 35 U.S.C. § 284 for L'Oréal's willful infringement of the '419 Patent and, if so, in what amount.

12. Whether Olaplex has proven that it is entitled to an award of attorneys' fees and costs under 35 U.S.C. § 285 and, if so, in what amount.

13. Whether Olaplex has proven that it is entitled to any other relief as this Court deems just and proper.

II. INFRINGEMENT OF U.S. PATENT NO. 9,668,954 ("THE '954 PATENT")

A. Infringement of the '954 Patent

Direct Infringement

14. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal directly infringes the asserted claims of the '954 Patent by either having made, making, using, offering for sale, selling, and/or importing the Accused Products.

Induced Infringement

15. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal induces infringement of the asserted claims of the '954 Patent by actively inducing others to use, offer for sale and/or sell the Accused Products.

Willful Infringement

16. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal has willfully infringed the asserted claims of the '954 Patent.

B. Requested Relief for Infringement of the '954 Patent

17. Whether Olaplex has proven that it is entitled to a judgment that L'Oréal directly infringes the asserted claims of the '954 Patent.

18. Whether Olaplex has proven that it is entitled to a judgment that L'Oréal induces infringement of the asserted claims of the '954 Patent.

19. Whether Olaplex has proven that it is entitled to a judgment that L'Oréal willfully infringes the asserted claims of the '954 Patent.

20. Whether Olaplex has proven that it is entitled to a permanent injunction enjoining L'Oréal, its parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, assigns, and attorneys, and any and all persons others acting in privity or concert with it from further infringement of the asserted claims of the '954 Patent.

21. Whether Olaplex has proven that it is owed damages for L'Oréal's infringement of the '954 Patent and, if so, in what amount.

22. Whether Olaplex has proven that it is entitled to an accounting of damages and/or supplemental damages for all damages occurring after any discovery cutoff and through the Court's decision regarding the imposition of a permanent injunction and post-verdict infringement and, if so, in what amount.

23. Whether Olaplex has proven that it is entitled to an award of prejudgment and post-judgment interest and, if so, in what amounts.

24. Whether Olaplex has proven that it is entitled to enhanced damages under 35 U.S.C. § 284 for L'Oréal's willful infringement of the '954 Patent and, if so, in what amount.

25. Whether Olaplex has proven that it is entitled to an award of attorneys' fees and costs under 35 U.S.C. § 285 and, if so, in what amount.

26. Whether Olaplex has proven that it is entitled to any other relief as this Court deems just and proper.

III. OLAPLEX'S CLAIMS FOR MISAPPROPRIATION OF TRADE SECRETS

27. Whether Olaplex has proven by a preponderance of the evidence that it possessed/possesses trade secret information.

28. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal and/or its Representatives (as defined in the NDAs) had access to Olaplex's trade secret information.

29. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal's and/or its Representatives' (as defined in the NDAs) access to Olaplex's trade secret information occurred pursuant to an understanding that L'Oréal would protect the secrecy of Olaplex's trade secret information.

30. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal and/or its Representatives (as defined in the NDAs) improperly used or disclosed Olaplex's trade secret information for its own benefit.

31. Whether Olaplex has proven by a preponderance of the evidence that it has suffered damages as a result of L'Oréal's and/or its Representatives' (as defined in the NDAs) theft of its trade secret information.

32. Whether Olaplex has proven by a preponderance of the evidence that it is entitled to injunctive relief prohibiting L'Oréal and its Representatives (as defined in the NDAs), and their parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, assigns, and attorneys, and any and all persons others acting in privity or concert with them from using any of Olaplex's trade secret information.

33. Whether Olaplex is entitled to attorneys' fees and costs as a result of L'Oréal's and/or its Representatives (as defined in the NDAs) use of Olaplex's trade secret information.

IV. OLAPLEX'S CLAIM FOR BREACH OF CONTRACT

34. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal and/or its Representatives (as defined in the NDAs) breached contractual obligations to Olaplex

under the parties' May 15 and 23, 2015 Non-Disclosure Agreements with Olaplex LLC and Liqwd, Inc., respectively (collectively "the NDAs").

35. Whether Olaplex has proven by a preponderance of the evidence that it has suffered damage as a result of L'Oréal and/or its Representatives' (as defined in the NDAs) breaches of contractual obligations to Olaplex pursuant to the NDAs.

L'OREAL'S COUNTERCLAIM FOR FALSE ADVERTISING

Whether L'Oreal has proven that Olaplex made a false or misleading description or representation of fact, which misrepresents the nature, characteristics, qualities, or geographic origin of its or L'Oreal's goods or services.

Whether L'Oreal has proven that the specific statements identified by L'Oreal as alleged false advertising constitute "commercial advertising" within the meaning of 15 U.S.C. § 1125(a)(1)(B).

Whether L'Oreal has proven that the specific challenged statements actually deceive or at least have a tendency to deceive a substantial portion of the intended audience.

Whether L'Oreal has proven that any alleged deception is material in that it is likely to influence purchasing decisions.

Whether L'Oreal has proven that it suffered economic or reputational injury flowing directly from the specific misrepresentations it alleges.

Whether L'Oreal has proven that it is entitled to injunctive relief prohibiting Olaplex from engaging in false advertising.

Whether L'Oreal has proven that it is entitled to injunctive relief mandating that Olaplex issue corrective advertising.

L'OREAL'S COUNTERCLAIM FOR FRAUD BY FALSE PROMISE

Whether L'Oreal has proven that Olaplex made a false representation of fact.

Whether L'Oreal has proven that Olaplex knew or believed that the representation was false.

Whether L'Oreal has proven that Olaplex intended to induce L'Oreal to act or to refrain from acting.

Whether L'Oreal has proven that it justifiably relied on the representation.

Whether L'Oreal has proven that it suffered damages resulting from such reliance.

L'OREAL'S COUNTERCLAIMS FOR BREACH OF CONTRACT

36. Whether L'Oréal has proven that Olaplex disclosed confidential information in breach of the Non-Disclosure Agreement attached as Exhibit C to Olaplex's Third Amended Complaint (D.I. 636) or the Non-Disclosure Agreement attached as Exhibit A to L'Oréal's Amended Counterclaims (D.I. 650).

37. Whether L'Oréal has proven that it was harmed by Olaplex's alleged disclosure of confidential information in breach of the Non-Disclosure Agreement attached as Exhibit C to Olaplex's Third Amended Complaint (D.I. 636) or the the Non-Disclosure Agreement attached as Exhibit A to L'Oréal's Amended Counterclaims (D.I. 650).

L'OREAL'S COUNTERCLAIM FOR FALSE PATENT MARKING

Whether L'Oreal has proven that Olaplex falsely marked an unpatented article as patented under a proper construction of U.S. Patent No. 9,095,518 ("the '518 Patent").

Whether L'Oreal has proven that it suffered a competitive injury as a result of the false marking.

L'OREAL'S COUNTERCLAIM FOR DECLARATORY JUDGMENT OF NON-INFRINGEMENT

38. Whether L'Oréal has proven that it is entitled to a declaratory judgment that use of the Accused Products does not infringe Asserted Claims 1 and 10 of the '419 patent.

Whether L'Oréal has proven that it is entitled to a declaratory judgment that use of the Accused Products does not infringe Asserted Claims 1, 4, 11-16, 19, 20, 24-26 and 30 of the '954 patent.

L'OREAL'S COUNTERCLAIM FOR DECLARATORY JUDGMENT OF INVALIDITY

39. Whether L'Oréal has proven by clear and convincing evidence that it is entitled to a declaratory judgment that claims 1 and 10 of the '419 Patent are invalid.

40. Whether L'Oréal has proven by clear and convincing evidence that it is entitled to a declaratory judgment that claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent are invalid.

EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,

Plaintiffs,

V.

L'ORÉAL USA, INC., L'ORÉAL USA
PRODUCTS, INC., L'ORÉAL USA
S/D, INC., and REDKEN 5TH AVENUE
NYC, L.L.C.,

Defendants.

C. A. No. 17-cv-00014-JFB-SRF

**CONFIDENTIAL –
FILED UNDER SEAL**

EXHIBIT 3:
DEFENDANTS' STATEMENT OF ISSUES OF FACT THAT REMAIN TO BE
LITIGATED

Pursuant to Local Rule 16.3(c)(4), Defendants and Counterclaimants L'Oréal USA, Inc., L'Oréal USA Products, Inc., L'Oréal USA S/D, Inc. and Redken 5th Avenue NYC, LLC (collectively "L'Oréal USA") hereby provide this Statement of Issues of Fact that Remain to be Litigated. The following statement is based on the parties' pleadings, documentary and testimony evidence, expert reports, and on L'Oréal USA's current understanding of Olaplex's claims as they have evolved and changed throughout the case. To the extent that L'Oréal USA's Statement of Issues of Law to be Litigated set forth in Exhibit 5 contains issues of fact, those issues are incorporated herein by reference. Should the Court determine that any issue identified below is more appropriately considered an issue of law, L'Oréal USA incorporates such issue by reference into Exhibit 5. L'Oréal USA incorporates by reference its expert reports in support of any proof to be presented by expert testimony. By including a fact herein, L'Oréal USA does not assume the burden of proof or production with regard to that fact. L'Oréal USA reserves the right to revise this statement in light of the Court's rulings.

L'Oréal USA contends that the issues of fact (or mixed questions of fact and law) that remain to be litigated at trial and decided by the jury are as follows:

I. NON-INFRINGEMENT OF THE '419 PATENT

1. Whether Olaplex LLC can prove that it has standing to assert claims of infringement of the '419 Patent.
2. Whether Liqwd Inc. can prove that it has standing to assert claims of infringement of the '419 Patent.
3. Whether Olaplex can prove that L'Oréal USA, Inc. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

4. Whether Olaplex can prove that L'Oréal USA, Inc. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

5. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by L'Oréal USA, Inc.

6. Whether Olaplex can prove that L'Oréal USA Products, Inc. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

7. Whether Olaplex can prove that L'Oréal USA Products, Inc. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

8. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by L'Oréal USA Products, Inc.

9. Whether Olaplex can prove that L'Oréal USA S/D, Inc. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

10. Whether Olaplex can prove that L'Oréal USA S/D, Inc. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

11. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by L'Oréal USA S/D, Inc.

12. Whether Olaplex can prove that Redken 5th Avenue NYC, L.L.C. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

13. Whether Olaplex can prove that Redken 5th Avenue NYC, L.L.C. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

14. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by Redken 5th Avenue NYC, L.L.C.

15. Whether Olaplex can prove that L'Oréal USA, Inc. directly or indirectly infringes the Asserted Claims 1 and 10 of the '419 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the '419 Patent before the USPTO.

16. Whether Olaplex can prove that L'Oréal USA Products, Inc. directly or indirectly infringes the Asserted Claims 1 and 10 of the '419 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the '419 Patent before the USPTO.

17. Whether Olaplex can prove that L'Oréal USA S/D, Inc. directly or indirectly infringes the Asserted Claims 1 and 10 of the '419 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the '419 Patent before the USPTO.

18. Whether Olaplex can prove that Redken 5th Avenue NYC, L.L.C. directly or indirectly infringes the Asserted Claims 1 and 10 of the '419 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the '419 Patent before the USPTO.

II. NON-INFRINGEMENT OF THE '954 PATENT

19. Whether Olaplex LLC can prove that it has standing to assert claims of infringement of the '954 Patent.

20. Whether Liqwd Inc. can prove that it has standing to assert claims of infringement of the '954 Patent.

21. Whether Olaplex can prove that L'Oréal USA, Inc. directly infringes the asserted claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

22. Whether Olaplex can prove that L'Oréal USA, Inc. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

23. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by L'Oréal USA, Inc.

24. Whether Olaplex can prove that L'Oréal USA Products, Inc. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

25. Whether Olaplex can prove that L'Oréal USA Products, Inc. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

26. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by L'Oréal USA Products, Inc.

27. Whether Olaplex can prove that L'Oréal USA S/D, Inc. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

28. Whether Olaplex can prove that L'Oréal USA S/D, Inc. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

29. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by L'Oréal USA S/D, Inc.

30. Whether Olaplex can prove that Redken 5th Avenue NYC, L.L.C. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

31. Whether Olaplex can prove that Redken 5th Avenue NYC, L.L.C. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

32. Whether Olaplex can prove that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by Redken 5th Avenue NYC, L.L.C.

33. Whether Olaplex can prove that L'Oréal USA, Inc. directly or indirectly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the Asserted Patents before the USPTO.

34. Whether Olaplex can prove that L'Oréal USA Products, Inc. directly or indirectly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the Asserted Patents before the USPTO.

35. Whether Olaplex can prove that L'Oréal USA S/D, Inc. directly or indirectly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent in light of

prosecution history estoppel and/or disclaimer based on representations made during prosecution of the Asserted Patents before the USPTO.

36. Whether Olaplex can prove that Redken 5th Avenue NYC, L.L.C. directly or indirectly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent in light of prosecution history estoppel and/or disclaimer based on representations made during prosecution of the Asserted Patents before the USPTO.

III. INVALIDITY

37. Whether the Asserted Claims 1 and/or 10 of the '419 Patent are invalid for lack of written description.

38. Whether the Asserted Claims 1 and/or 10 of the '419 Patent are invalid for lack of enablement.

39. Whether the Asserted Claims 1 and/or 10 of the '419 Patent are invalid as obvious.

40. Whether the Asserted Claims 1 and/or 10 of the '419 Patent are invalid as anticipated.

41. Whether the claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent are invalid for lack of written description.

42. Whether the claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent are invalid for lack of enablement.

43. Whether the claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent are invalid as obvious.

IV. OLAPLEX'S CLAIMS FOR MISAPPROPRIATION OF TRADE SECRETS

44. Whether Olaplex LLC can prove that it possessed/possesses trade secret information.

45. Whether Olaplex LLC can prove that the information it identifies as its trade secret was not already known to the public or L'Oréal USA as of May 2015.

46. Whether Olaplex LLC can prove that L'Oréal USA, Inc. acquired information that Olaplex LLC identifies as its trade secrets at the May 19, 2015 meeting.

47. Whether Olaplex LLC can prove that L'Oréal USA Products, Inc. acquired information that Olaplex LLC identifies as its trade secrets which L'Oréal USA Products, Inc. knew or should have known was improperly acquired.

48. Whether Olaplex LLC can prove that L'Oréal USA S/D, Inc. acquired information that Olaplex LLC identifies as its trade secrets which L'Oréal USA S/D, Inc. knew or should have known was improperly acquired.

49. Whether Olaplex LLC can prove that Redken 5th Avenue NYC, L.L.C. acquired information that Olaplex LLC identifies as its trade secrets which Redken 5th Avenue NYC, L.L.C. knew or should have known was improperly acquired.

50. Whether Olaplex LLC can prove that L'Oréal USA, Inc. disclosed any of the information Olaplex LLC identifies as its trade secrets without Olaplex LLC's consent.

51. Whether Olaplex LLC can prove that L'Oréal USA Products, Inc. disclosed any of the information Olaplex LLC identifies as its trade secrets without Olaplex LLC's consent.

52. Whether Olaplex LLC can prove that L'Oréal USA S/D, Inc. disclosed any of the information Olaplex LLC identifies as its trade secrets without Olaplex LLC's consent.

53. Whether Olaplex LLC can prove that Redken 5th Avenue NYC, L.L.C. disclosed any of the information Olaplex LLC identifies as its trade secrets without Olaplex LLC's consent.

54. Whether Olaplex LLC can prove that L'Oréal USA, Inc. used any of the information Olaplex LLC identifies as its trade secrets in developing the Accused Products.

55. Whether Olaplex LLC can prove that L'Oréal USA Products, Inc. used any of the information Olaplex LLC identifies as its trade secrets in developing the Accused Products.

56. Whether Olaplex LLC can prove that L'Oréal USA S/D, Inc. used any of the information Olaplex LLC identifies as its trade secrets in developing the Accused Products.

57. Whether Olaplex LLC can prove that Redken 5th Avenue NYC, L.L.C used any of the information Olaplex LLC identifies as its trade secrets in developing the Accused Products.

58. Whether Olaplex LLC can prove that it has suffered any damages as a result of L'Oréal USA, Inc.'s purported disclosure or use of the information Olaplex LLC identifies as its trade secrets.

59. Whether Olaplex LLC can prove that it has suffered any damages as a result of L'Oréal USA Products, Inc.'s purported disclosure or use of the information Olaplex LLC identifies as its trade secrets.

60. Whether Olaplex LLC can prove that it has suffered any damages as a result of L'Oréal USA S/D, Inc.'s purported disclosure or use of the information Olaplex LLC identifies as its trade secrets.

61. Whether Olaplex LLC can prove that it has suffered any damages as a result of Redken 5th Avenue NYC, L.L.C's purported disclosure or use of the information Olaplex LLC identifies as its trade secrets.

62. Whether Liqwd Inc. can prove that it possessed/possesses trade secret information.

63. Whether Liqwd Inc. can prove that the information it identifies as its trade secret was not already known to the public or L'Oréal USA as of May 2015.

64. Whether Liqwd Inc. can prove that L'Oréal USA, Inc. acquired information that Liqwd Inc. identifies as its trade secrets at the May 19, 2015 meeting.

65. Whether Liqwd Inc. can prove that L'Oréal USA Products, Inc. acquired information that Liqwd Inc. identifies as its trade secrets which L'Oréal USA Products, Inc. knew or should have known was improperly acquired.

66. Whether Liqwd Inc. can prove that L'Oréal USA S/D, Inc. acquired information that Liqwd Inc. identifies as its trade secrets which L'Oréal USA S/D, Inc. knew or should have known was improperly acquired.

67. Whether Liqwd Inc. can prove that Redken 5th Avenue NYC, L.L.C. acquired information that Liqwd Inc. identifies as its trade secrets which Redken 5th Avenue NYC, L.L.C. knew or should have known was improperly acquired.

68. Whether Liqwd Inc. can prove that L'Oréal USA, Inc. disclosed any of the information Liqwd Inc. identifies as its trade secrets without Liqwd Inc.'s consent.

69. Whether Liqwd Inc. can prove that L'Oréal USA Products, Inc. disclosed any of the information Liqwd Inc. identifies as its trade secrets without Liqwd Inc.'s consent.

70. Whether Liqwd Inc. can prove that L'Oréal USA S/D, Inc. disclosed any of the information Liqwd Inc. identifies as its trade secrets without Liqwd Inc.'s consent.

71. Whether Liqwd Inc. can prove that Redken 5th Avenue NYC, L.L.C. disclosed any of the information Liqwd Inc. identifies as its trade secrets without Liqwd Inc.'s consent.

72. Whether Liqwd Inc. can prove that L'Oréal USA, Inc. used any of the information Liqwd Inc. identifies as its trade secrets in developing the Accused Products.

73. Whether Liqwd Inc. can prove that L'Oréal USA Products, Inc. used any of the information Liqwd Inc. identifies as its trade secrets in developing the Accused Products.

74. Whether Liqwd Inc. can prove that L'Oréal USA S/D, Inc. used any of the information Liqwd Inc. identifies as its trade secrets in developing the Accused Products.

75. Whether Liqwd Inc. can prove that Redken 5th Avenue NYC, L.L.C used any of the information Liqwd Inc. identifies as its trade secrets in developing the Accused Products.

76. Whether Liqwd Inc. can prove that it has suffered any damages as a result of L'Oréal USA, Inc.'s purported disclosure or use of the information Liqwd Inc. identifies as its trade secrets.

77. Whether Liqwd Inc. can prove that it has suffered any damages as a result of L'Oréal USA Products, Inc.'s purported disclosure or use of the information Liqwd Inc. identifies as its trade secrets.

78. Whether Liqwd Inc. can prove that it has suffered any damages as a result of L'Oréal USA S/D, Inc.'s purported disclosure or use of the information Liqwd Inc. identifies as its trade secrets.

79. Whether Liqwd Inc. can prove that it has suffered any damages as a result of Redken 5th Avenue NYC, L.L.C's purported disclosure or use of the information Liqwd Inc. identifies as its trade secrets.

80. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation under the DTSA or the DUTSA in light of the fact that Defendants independently discovered that the Olaplex products contained maleic acid in August 2014; that the use of maleic acid in hair treatment processes, including bleaching, was described, detailed, and presented in publications, including, for example, prior patents and published applications; that the testing methods identified by Olaplex as trade secrets were and are common methods generally and publicly known before any meetings between the parties; and

that the other information identified by Olaplex as constituting trade secrets consists of information that has been described, detailed, and presented in publications and on publicly available Internet sites.

81. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation under the DTSA or the DUTSA in light of the fact that Defendants independently developed the Accused Products without any information from Olaplex.

82. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation under the DTSA or the DUTSA based on their failure to maintain the purported confidentiality of information they identify as trade secrets.

V. OLAPLEX'S CLAIM FOR BREACH OF CONTRACT

83. Whether Olaplex LLC can prove that it provided confidential information to L'Oréal USA, Inc. under the Non-Disclosure Agreement between L'Oréal USA, Inc. and Olaplex LLC.

84. Whether Olaplex LLC can prove that L'Oréal USA, Inc. disclosed confidential information belonging to Olaplex LLC to unauthorized parties under the Non-Disclosure Agreement between L'Oréal USA, Inc. and Olaplex LLC.

85. Whether Olaplex LLC can prove that L'Oréal USA, Inc. disclosed confidential information belonging to Olaplex LLC for an unauthorized purpose.

86. Whether Olaplex LLC can prove that it has suffered damage as a result of L'Oréal USA Inc.'s alleged disclosure of Olaplex LLC's confidential information.

87. Whether Liqwd Inc. can prove that it provided confidential information to L'Oréal USA, Inc. under the Non-Disclosure Agreement between L'Oréal USA, Inc. and Liqwd Inc.

88. Whether Liqwd Inc. can prove that L'Oréal USA, Inc. disclosed confidential information belonging to Liqwd Inc. to unauthorized parties under the Non-Disclosure Agreement between L'Oréal USA, Inc. and Liqwd Inc.

89. Whether Liqwd Inc. can prove that L'Oréal USA, Inc. disclosed confidential information belonging to Liqwd Inc. for an unauthorized purpose.

90. Whether Liqwd Inc. can prove that it has suffered damage as a result of L'Oréal USA, Inc.'s alleged disclosure of Liqwd Inc.'s confidential information.

91. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims based on their failure to maintain the purported confidentiality of the information they contend was disclosed by L'Oréal USA, Inc.

92. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims in light of their prior breaches of the Non-Disclosure Agreements, including but not limited to their disclosure of the parties' acquisition talks to third parties without L'Oréal USA, Inc.'s consent.

VI. NO DAMAGES ON OLAPLEX'S CLAIMS

93. Whether Olaplex LLC is entitled to any damages for L'Oréal USA, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

94. Whether Olaplex LLC is entitled to any enhanced damages for L'Oréal USA, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

95. Whether Olaplex LLC can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA, Inc.

96. Whether Olaplex LLC is entitled to a permanent injunction based on L'Oréal USA, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

97. Whether Olaplex LLC is entitled to any damages for L'Oréal USA Products, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

98. Whether Olaplex LLC is entitled to any enhanced damages for L'Oréal USA Products, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

99. Whether Olaplex LLC can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA Products, Inc.

100. Whether Olaplex LLC is entitled to a permanent injunction based on L'Oréal USA Products, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

101. Whether Olaplex LLC is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

102. Whether Olaplex LLC is entitled to any enhanced damages for L'Oréal USA S/D, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

103. Whether Olaplex LLC can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA S/D, Inc.

104. Whether Olaplex LLC is entitled to a permanent injunction based on L'Oréal USA S/D, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

105. Whether Olaplex LLC is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

106. Whether Olaplex LLC is entitled to any enhanced damages for Redken 5th Avenue NYC, L.L.C.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

107. Whether Olaplex LLC can show this is an exceptional case justifying an award of attorney fees from Redken 5th Avenue NYC, L.L.C.

108. Whether Olaplex LLC is entitled to a permanent injunction based on Redken 5th Avenue NYC, L.L.C.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

109. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

110. Whether Liqwd Inc. is entitled to any enhanced damages for L'Oréal USA, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

111. Whether Liqwd Inc. can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA, Inc.

112. Whether Liqwd Inc. is entitled to a permanent injunction based on L'Oréal USA, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

113. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA Products, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

114. Whether Liqwd Inc. is entitled to any enhanced damages for L'Oréal USA Products, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

115. Whether Liqwd Inc. can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA Products, Inc.

116. Whether Liqwd Inc. is entitled to a permanent injunction based on L'Oréal USA Products, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

117. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

118. Whether Liqwd Inc. is entitled to any enhanced damages for L'Oréal USA S/D, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

119. Whether Liqwd Inc. can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA S/D, Inc.

120. Whether Liqwd Inc. is entitled to a permanent injunction based on L'Oréal USA S/D, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

121. Whether Liqwd Inc. is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

122. Whether Liqwd Inc. is entitled to any enhanced damages for Redken 5th Avenue NYC, L.L.C.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

123. Whether Liqwd Inc. can show this is an exceptional case justifying an award of attorney fees from Redken 5th Avenue NYC, L.L.C.

124. Whether Liqwd Inc. is entitled to a permanent injunction based on Redken 5th Avenue NYC, L.L.C.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

125. Whether Olaplex LLC is entitled to any damages for L'Oréal USA, Inc.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

126. Whether Olaplex LLC is entitled to any damages for L'Oréal USA Products, Inc.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

127. Whether Olaplex LLC is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

128. Whether Olaplex LLC is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

129. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA, Inc.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

130. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA Products, Inc.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

131. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

132. Whether Liqwd Inc. is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged trade secret misappropriation under the DTSA or the DUTSA.

133. Whether Olaplex LLC is entitled to any damages for L'Oréal USA, Inc.'s alleged breach of contract.

134. Whether Olaplex LLC is entitled to any damages for L'Oréal USA Products, Inc.'s alleged breach of contract.

135. Whether Olaplex LLC. is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged breach of contract.

136. Whether Olaplex LLC is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged breach of contract.

137. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA, Inc.'s alleged breach of contract.

138. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA Products, Inc.'s alleged breach of contract.

139. Whether Liqwd Inc. is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged breach of contract.

140. Whether Liqwd Inc. is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged breach of contract.

141. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims by failing to act reasonably and prudently mitigate any damages they may have incurred.

142. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation and breach of contract because any damages they may have suffered would have been caused by independent, intervening, and/or superseding events, including, for example, Olaplex's public discussions with third parties and through social media regarding their patents and testing practices.

143. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on any of their claims on the grounds that any such recovery would constitute unjust enrichment, in light if the fact that information withheld by Olaplex until after the close of document discovery reveals that Olaplex engaged in an aggressive and illegal campaign to manipulate the market to artificially increase its market share while pushing competitors out of the market.

144. Whether Olaplex and Liqwd. Inc. are barred from recovering any relief sought in this action due to their spoliation of evidence, including but not limited to evidence documenting the conception and reduction to practice of the inventions of the Asserted Patents, the manufacture of the Olaplex products and Olaplex's marketing and advertising activities, including but not limited to paid endorsements and social media outreach.

145. Whether Olapex LLC and Liqwd Inc. are barred from recovering any relief sought in this action, including but not limited to any equitable relief sought, because they filed this lawsuit with unclean hands, including but not limited to the following acts:

- a) Engaging in a multifaceted, illegal scheme to block the sale of the L'Oréal USA products through false promises, false and misleading advertising, and false marking.
- b) Using undisclosed, paid endorsements and fake social media accounts to conceal any affiliation to Olaplex, while lauding the Olaplex products and denouncing competitors, including L'Oréal USA, Inc.
- c) Seeking injunctive relief and arguing that Olaplex LLC competes with L'Oréal USA, Inc. in a two-player market, without disclosing their own market conduct and manipulation.
- d) Refusing to produce discovery relating to its marketing activities for nearly two years, which discovery revealed Olaplex's market manipulation.
- e) Securing witnesses' unavailability, including threats to pull Olaplex's business from L'Oréal USA, Inc.'s subsidiary, SalonCentric, if Defendants proceeded with the deposition of Olaplex's co-founder.
- f) Blocking depositions of purported third parties on grounds that Olaplex does not control these third parties, when they were all represented by Olaplex's counsel at their depositions.
- g) Asking stylists who were testing the Redken product to provide Olaplex with non-public, confidential information about the product months before the product was launched and to record any conversations by Redken involving Olaplex.

VII. L'OREAL USA, INC.'S COUNTERCLAIM FOR VIOLATION OF THE LANHAM ACT

146. Whether L'Oréal USA, Inc. can prove that Olaplex made or caused others to make false and/or misleading statements regarding the Olaplex products or L'Oréal USA, Inc.'s products in violation of Section 43(a) of the Lanham Act, 15 U.S.C. Section 1125(a).

147. Whether L'Oréal USA, Inc. can prove that it suffered injury as a result of Olaplex's Lanham Act violations.

148. Whether L'Oréal USA, Inc. can prove that it is entitled to injunctive relief prohibiting Olaplex from engaging in false advertising.

149. Whether L'Oréal USA, Inc. can prove that it is entitled to injunctive relief mandating that Olaplex issue corrective advertising.

VIII. L'OREAL USA, INC.'S COUNTERCLAIM FOR FRAUD-FALSE PROMISE

150. Whether L'Oréal USA, Inc. can prove that Olaplex made false representations to L'Oréal USA, Inc. during the parties' acquisition discussions, which it knew or believed were false.

151. Whether L'Oréal USA can prove that Olaplex intended L'Oréal USA, Inc. to rely on its representations.

152. Whether L'Oréal USA, Inc. can prove that it relied on Olaplex's false representations to its detriment.

IX. L'OREAL USA, INC.'S COUNTERCLAIM FOR BREACH OF CONTRACT

153. Whether L'Oréal USA, Inc. can prove that Liqwd, Inc. disclosed confidential information in breach of the Non-Disclosure Agreement attached as Exhibit C to Olaplex's Third Amended Complaint (D.I. 636).

154. Whether L'Oréal USA, Inc. can prove that Olaplex LLC disclosed confidential information in breach of the Non-Disclosure Agreement attached as Exhibit A to L'Oréal USA's Amended Counterclaims (D.I. 650).

X. L'OREAL USA, INC.'S COUNTERCLAIM FOR FALSE MARKING

155. Whether L'Oréal USA, Inc. can prove that Olaplex LLC falsely marks its Step 1, Step 2, and/or Step 3 products under U.S. Patent No. 9,095,518, causing harm to L'Oréal USA, Inc.

XI. L'OREAL USA, INC.'S COUNTERCLAIM FOR DECLARATORY JUDGMENT OF NON-INFRINGEMENT

156. Whether L'Oréal USA, Inc. can prove that it is entitled to a declaratory judgment that use of the Accused Products do not infringe Asserted Claims 1 and 10 of the '419 patent.

157. Whether L'Oréal USA, Inc. can prove that it is entitled to a declaratory judgment that use of the Accused Products do not infringe Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent.

XII. L'OREAL USA, INC.'S COUNTERCLAIM FOR DECLARATORY JUDGMENT OF INVALIDITY

158. Whether L'Oréal USA, Inc. can prove that it is entitled to a declaratory judgment that claims 1 and 10 of the '419 Patent are invalid.

159. Whether L'Oréal USA, Inc. can prove that it is entitled to a declaratory judgment that claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent are invalid.

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,

Plaintiffs,

V.

L'ORÉAL USA, INC., L'ORÉAL USA
PRODUCTS, INC., L'ORÉAL USA S/D,
INC., and REDKEN 5TH AVENUE
NYC, L.L.C.,

Defendants.

C. A. No. 1:17-cv-00014-JFB-SRF

**CONFIDENTIAL –
FILED UNDER SEAL**

EXHIBIT 4:
OLAPLEX'S STATEMENT OF ISSUES OF LAW TO BE LITIGATED AT TRIAL

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Constitutional Provisions

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Additional Authorities

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Pursuant to Local Rule 16.3(c)(5), Plaintiffs and Counterclaim Defendants Liqwd, Inc. and Olaplex LLC (collectively, “Olaplex”) submit the following issues of law to be litigated at trial, including citations to the authorities upon which Olaplex relies.

The following statements are not exhaustive, and Olaplex reserves the right to prove any matters identified in its pleadings, documentary and testimony evidence, infringement contentions, interrogatory responses, expert reports, and on Olaplex’s current understanding of L’Oréal’s claims that were disclosed for the first time after the close of discovery and on which Olaplex has not had any chance to take discovery. Olaplex also intends to offer evidence as to the issues of fact and issues of law identified in this pretrial order. Olaplex further intends to offer evidence to rebut evidence offered by Defendants and Counterclaim Plaintiffs L’Oréal USA, Inc., L’Oréal USA Products, Inc., L’Oréal USA S/D, Inc., and Redken 5th Avenue NYC, L.L.C. (collectively, “L’Oréal”). Olaplex reserves the right to modify or amend this statement to the extent necessary to reflect any future rulings by the Court and to supplement or amend this statement to fairly respond to any new issues that L’Oréal may raise. To the extent that Olaplex’s Statement of Issues of Fact to be Litigated at Trial (Exhibit 2) contains issues of law, those issues are incorporated herein by reference. Moreover, if any issue of law identified below should properly be considered an issue of fact, then such statement shall be considered to be part of Olaplex’s Statement of Issues of Fact to be Litigated at Trial. Olaplex incorporates by reference its expert reports in support of any proof to be presented by expert testimony.

Olaplex objects to L’Oréal’s insistence, for the first time in this Pre-Trial Order, that proof at trial be separated as to each Defendant. Throughout this case, both parties (and the Court) have treated all defendants collectively, including in all discovery requests and responses and in the Rule 30(b)(6) depositions of Defendants, for which L’Oreal designated representatives

on behalf of all Defendants collectively. L’Oreal failed to distinguish between the Defendants in response to written and deposition discovery and should be estopped asserting otherwise at trial.

**I. INFRINGEMENT OF U.S. PATENT NO. 9,498,419 (“THE ‘419 PATENT”)
(CONDITIONAL ON DECISION OF PENDING MOTIONS)**

A. Infringement of the ‘419 Patent

1. Issues of Law to be Litigated

Direct Infringement

1. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal directly infringes the asserted claims of the ‘419 Patent by either having made, making, using, offering for sale, selling, and/or importing the Accused Products.

Induced Infringement

2. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal induces infringement of the asserted claims of the ‘419 Patent by actively inducing others to use, offer for sale, and/or sell the Accused Products.

Willful Infringement

3. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal has willfully infringed the asserted claims of the ‘419 Patent.

2. Legal Authority

Direct Infringement

4. “Direct infringement requires a party to perform each and every step or element of a claimed method or product.” *Exergen Corp. v. Wal-Mart Stores, Inc.*, 575 F.3d 1312, 1320 (Fed. Cir. 2009) (internal quotation marks omitted). However, “a finding of infringement can rest on as little as one instance of the claimed method being performed during the pertinent time

period.” *Lucent Techs., Inc. v. Gateway, Inc.*, 580 F.3d 1301, 1317 (Fed. Cir. 2009); *see also Convolv, Inc. v. Compaq Computer Corp.*, 527 F. App’x 910, 929 (Fed. Cir. 2013); *SRI Int’l, Inc. v. Cisco Sys., Inc.*, 179 F. Supp. 3d 339, 365 (D. Del. 2016).

5. 35 U.S.C. § 271 provides: “Except as otherwise provided in this title, whoever without authority makes, uses, offers to sell, or sells any patented invention, within the United States, or imports into the United States any patented invention during the term of the patent therefor, infringes the patent.” To prevail on infringement, the patentee “must establish by a preponderance of the evidence that the accused device infringes one or more claims of the patent either literally or under the doctrine of equivalents.” *Advanced Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.*, 261 F.3d 1329, 1336 (Fed. Cir. 2001).

6. “A patent infringement analysis requires two steps. First, the claim must be properly construed to determine its scope and meaning. Second, the claim as properly construed must be compared to the accused device or process.” *Hilgraeve Corp. v. Symantec Corp.*, 265 F.3d 1336, 1341 (Fed. Cir. 2001) (citing *Gentry Gallery, Inc. v. Berkline Corp.*, 134 F.3d 1473, 1476 (Fed. Cir. 1998)). The first step of the infringement analysis, claim construction, is a question of law. *Cybor Corp. v. FAS Techs., Inc.*, 138 F.3d 1448, 1451, 1454 (Fed. Cir. 1998) (en banc). “After claim construction, the next step in an infringement analysis is comparing the properly construed claims with the allegedly infringing [methods]. This comparison is a question of fact.” *Ecolab, Inc. v. Envirochem, Inc.*, 264 F.3d 1358, 1369 (Fed. Cir. 2001).

7. “Infringement is a question of fact.” *Sunovion Pharm., Inc. v. Teva Pharm. USA, Inc.*, 731 F.3d 1271, 1275 (Fed. Cir. 2013).

8. A patent claim is infringed when each element of the claim is literally found in the accused product or method. *Markman v. Westview Instruments, Inc.*, 517 U.S. 370, 384-91 (1996). “Direct infringement requires a party to perform each and every step or element of a claimed method or product.” *Forest Labs. Holdings Ltd. v. Mylan Inc.*, 206 F. Supp. 3d 957, 973 (D. Del. 2016) (quoting *Exergen Corp. v. Wal-Mart Stores, Inc.*, 575 F.3d 1312, 1320 (Fed. Cir. 2009)).

9. “Infringement . . . is determined by comparing an accused product not with a preferred embodiment described in the specifications . . . but with the properly and previously construed claims in suit.” *SRI Int’l v. Matsushita Elec. Corp. of Am.*, 775 F.2d 1107, 1121 (Fed. Cir. 1985).

10. “A patentee may prove infringement by ‘any method of analysis that is probative of the face of infringement,’ and circumstantial evidence may be sufficient.” *Martek Biosciences Corp. v. Nutrinova, Inc.*, 579 F.3d 1363, 1372 (Fed. Cir. 2009) (citations omitted); *Liquid Dynamics Corp. v. Vaughan Co.*, 449 F.3d 1209, 1219 (Fed. Cir. 2006) (“A patentee may prove direct infringement . . . by either direct or circumstantial evidence.”). The Federal Circuit has made clear that “[a] patentee is entitled to rely on circumstantial evidence to establish infringement.” *Tinnus Enters., LLC v. Telebrands Corp.*, 846 F.3d 1190, 1204 (Fed. Cir. 2017) (accused product’s instruction manual was “circumstantial evidence of infringement”).

11. “An accused device [or method] cannot escape infringement by merely adding features, if it otherwise has adopted the basic features of the patent.” *Amstar Corp. v. Envirotech Corp.*, 730 F.2d 1476, 1482 (Fed. Cir. 1984) (citation omitted). Likewise, that an accused infringer has obtained patents on the accused product does not establish non-infringement.

Water Techs. Corp. v. Calco, Ltd., 850 F.2d 660, 669 (Fed. Cir. 1988) (“[I]t is elementary patent law that a patent may issue on an improvement which infringes another’s patent.”).

12. “[I]ntent is not an element of direct infringement. . . . Infringement is, and should remain, a strict liability offense.” *Hilton Davis Chem. Co. Warner-Kenkinson Co.*, 62 F.3d 1512, 1527 (Fed. Cir. 1995) (en banc), rev’d on other grounds by *Warner-Jenkinson Co. v. Hilton Davis Chem. Co.*, 520 U.S. 17 (1997).

13. “The language in the patent claims may not capture every nuance of the invention or describe with complete precision the range of its novelty. If patents were always interpreted by their literal terms, their value would be greatly diminished. Unimportant and insubstantial substitutes for certain elements could defeat the patent, and its value to inventors could be destroyed by simple acts of copying.” *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. 722, 731 (2002). Accordingly, “[t]he scope of a patent is not limited to its literal terms but instead embraces all equivalents to the claims described.” *Id.* at 732; see also *Warner-Jenkinson Co., Inc. v. Hilton Davis Chem. Co.*, 520 U.S. 17, 21 (1997) (holding that “a product or process that does not literally infringe upon the express terms of a patent claim may nonetheless be found to infringe if there is ‘equivalence’ between the elements of the accused product or process and the claimed elements of the patented invention”). Accordingly, “[a]n accused device that does not literally infringe a claim may still infringe under the doctrine of equivalents if each limitation of the claim is met in the accused device either literally or equivalently.” *Cybor*, 138 F.3d at 1459.

14. “[T]here is no basis for treating an infringing equivalent any differently than a device [or method] that infringes the express terms of the patent. Application of the doctrine of

equivalents, therefore, is akin to determining literal infringement, and neither requires proof of intent.” *Warner-Jenkinson*, 520 U.S. at 35. “Infringement under the doctrine of equivalents is an equitable doctrine devised for ‘situations where there is no literal infringement but [where] liability is nevertheless appropriate to prevent what is in essence a pirating of the patentee’s invention.’” *Insta-Foam Prods. Inc. v. Universal Foam Sys. Inc.*, 906 F.2d 698, 702 (Fed. Cir. 1990) (quoting *Loctite Corp. v. Ultraseal Ltd.*, 781 F.2d 861, 870 (Fed. Cir. 1985)). “The doctrine of equivalents is an equitable doctrine designed to prevent parties from realizing the benefits of another’s patent by designing around the patent’s literal language.” *BOC Health Care, Inc. v. Nellcor Inc.*, 892 F. Supp. 598, 604 (D. Del. 1995). “Infringement under the doctrine of equivalents may be found where those limitations of a claim not found exactly in the accused device are met equivalently.” *Zygo Corp. v. Wyko Corp.*, 79 F.3d 1563, 1568 (Fed. Cir. 1996).

15. Infringement under the doctrine of equivalents is a question of fact. *Stryker Corp. v. Davol Inc.*, 234 F.3d 1252, 1258 (Fed. Cir. 2000).

16. The “essential inquiry” in determining infringement under the doctrine of equivalents is: “Does the accused product or process contain elements identical or equivalent to each claimed element of the patented invention?” *Warner-Jenkinson*, 520 U.S. at 40. The doctrine of equivalents involves an element-by-element comparison of the accused method or product and the claim. *Id.* One test for whether a step of an accused method is equivalent to a claim element is whether that step performs substantially the same function in substantially the same way, to obtain substantially the same result. *Graver Tank & Mfg. Co. v. Linde Air Prods. Co.*, 339 U.S. 605, 608 (1950); *see also Abraxis Bioscience, Inc. v. Mayne Pharma (USA), Inc.*, 467 F.3d 1370, 1379 (Fed. Cir. 2006).

17. Insubstantial differences may be found where the accused product or method performs substantially the same function in substantially the same way to achieve substantially the same result as the claim element. *Overhead Door Corp. v. Chamberlain Group, Inc.*, 194 F.3d 1261, 1270-71 (Fed. Cir. 1999). In other words, if one or more elements of the accused device performs the same function, in the same way, to achieve the same result as the corresponding element in the patent-in-suit, then that element is present under the doctrine of equivalents. *Warner-Jenkinson*, 520 U.S. at 40; *Ethicon Endo-Surgery, Inc. v. U.S. Surgical Corp.*, 149 F.3d 1309, 1320 (Fed. Cir. 1998). One may not use the doctrine of equivalents to vitiate a claim limitation entirely. *See Warner-Jenkinson*, 520 U.S. at 39 n. 8; *Ethicon Endo-Surgery, Inc.*, 149 F.3d at 1316-17. In addition, the doctrine of prosecution history estoppel prevents a patentee from using the doctrine of equivalents to recapture subject matter that was relinquished during prosecution of the patent. *Abbott Labs. v. Dey, L.P.*, 287 F.3d 1097, 1103-04 (Fed. Cir. 2002). If the claimed invention was limited during prosecution, and the patentee cannot overcome the presumption of estoppel, then the patentee is not entitled to the surrendered range of equivalents. *Festo Corp.*, 535 U.S. at 741.

18. The Federal Circuit has stated that technology developed after the date of invention is “the ‘quintessential example of an enforceable equivalent.’” *Varco, L.P. v. Pason Sys. USA Corp.*, 436 F.3d 1368, 1376 (Fed. Cir. 2006) (quoting *Smithkline Beecham Corp. v. Excel Pharm., Inc.*, 356 F.3d 1357, 1364 (Fed. Cir. 2004)). Plainly, “[t]he law does not require the impossible. Hence, it does not require that an applicant describe in his specification every conceivable and possible future embodiment of his invention.” *SRI Int’l v. Matsushita*, 775 F.2d at 1121.

19. “Each element contained in a patent claim is deemed material to defining the scope of the patented invention, and thus the doctrine of equivalents must be applied to individual elements of the claim, not to the invention as a whole.” *Depuy Spine, Inc. v. Medtronic Sofamor Danek, Inc.*, 469 F.3d 1005, 1016-17 (Fed. Cir. 2006) (quoting *Warner-Jenkinson*, 520 U.S. at 29). In applying the “all elements rule” to determine infringement under the doctrine of equivalents, it is appropriate to identify “the role played by each element in the context of the specific patent claim.” *Warner-Jenkinson*, 520 U.S. at 40. This analysis “will thus inform the inquiry as to whether a substitute element matches the function, way, and result of the claimed element, or whether the substitute element plays a role substantially different from the claimed element.” *Id.*

20. The accused method must contain every claim element, but “not necessarily in a corresponding component.” *Corning Glass Works v. Sumitomo Elec. U.S.A., Inc.*, 868 F.2d 1251, 1259 (Fed. Cir. 1989). “A patentee is, for example, free to frame the issue of equivalency, if it chooses, as equivalency to a combination of limitations.” *Id.* at 1259 n. 6 (citation omitted). Courts have held that “[o]ne-to-one correspondence of components is not required, and elements or steps may be combined without ipso facto loss of equivalency.” *Ethicon Endo-Surgery*, 149 F.3d at 1320 (quoting *Sun Studs, Inc. v. ATA Equip. Leasing Inc.*, 872 F.2d 978, 989 (Fed. Cir. 1989), overruled on other grounds *A.C. Aukerman Co. v. R.L. Chaides Const. Co.*, 960 F.2d 1020 (Fed. Cir. 1992)). A finding of infringement under the doctrine of equivalents is permissible unless “no reasonable jury could conclude that an element of an accused device is equivalent to an element called for in the claim, or that the theory of equivalence to support the conclusion of infringement otherwise lacks legal sufficiency.” *Depuy Spine*, 469 F.3d at 1018-19.

Induced Infringement

21. To state a claim for induced infringement, a plaintiff must allege facts showing that: (1) the plaintiff's patent is directly infringed, (2) the defendant induced that infringement by "aid[ing] and abett[ing] another's direct infringement of the patent," *Rodime PLC v. Seagate Tech., Inc.*, 174 F.3d 1294, 1306 (Fed. Cir. 1999), and (3) the defendant possessed the specific intent to encourage the third party to infringe, *see Warner-Lambert Co. v. Apotex Corp.*, 316 F.3d 1348, 1363 (Fed. Cir. 2003).

22. Section 271(b) states that "[w]hoever actively induces infringement of a patent shall be liable as an infringer." 35 U.S.C. § 271(b). If a company knowingly induces the direct infringement of its customers, it is liable for that infringement. *See Moba, B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 1318 (Fed. Cir. 2003); *see also Forest Labs.*, 206 F. Supp. 3d at 974 (quoting *Toshiba Corp. v. Imation Corp.*, 681 F.3d 1358, 1363 (Fed. Cir. 2012)). Proof of induced infringement requires evidence of an intent to cause the infringing acts. *See id.*

23. The "knowledge-of-the-patent" requirement can be satisfied by showing that the accused infringer manifested a "deliberate indifference to" or "knew of and disregarded" a risk that its activities were covered by a patent. *SEB, S.A. v. Montgomery Ward & Co., Inc.*, 594 F.3d 1360, 1376 (Fed. Cir. 2010). "[W]illful blindness can satisfy the knowledge requirement for active inducement under § 271(b) (and for contributory infringement under § 271(c))." *Warsaw Orthopedic, Inc. v. NuVasive, Inc.*, 834 F.3d 1344, 1347 (Fed. Cir. 2016).

24. While proof of intent is necessary, direct evidence is not required; rather, circumstantial evidence may suffice. *See Golden Blount, Inc. v. Robert H. Peterson Co.*, 438 F.3d 1354, 1362-64 (Fed. Cir. 2006) (affirming infringement liability based on packaging of

instruction manual with product); *see also Metabolite Labs., Inc. v. Lab. Corp. of Am. Holdings*, 370 F.3d 1354, 1365 (Fed. Cir. 2004) (finding intent based on articles espousing use of product for infringing purpose); *Warsaw Orthopedic*, 834 F.3d at 1347; *Broadcom Corp. v. Qualcomm Inc.*, 543 F.3d 683, 699 (Fed. Cir. 2008) (“[t]he requisite intent to induce infringement may be inferred from all of the circumstances.” (quoting *Water Techs.*, 850 F.2d at 669)). “[L]iability for active inducement may be found ‘where evidence . . . shows statements or actions directed to promoting infringement,’” and actions such as “instructing how to engage in an infringing use” demonstrate “an affirmative intent that the product be used to infringe.” *AstraZeneca LP v. Apotex, Inc.*, 633 F.3d 1042, 1059 (Fed. Cir. 2010); *see also Forest Labs.*, 206 F. Supp. 3d at 975 (“‘We have long held that the sale of a product specifically labeled for use in a patented method constitutes inducement to infringe that patent, and usually is also contributory infringement.’” (quoting *Eli Lilly & Co. v. Actavis Elizabeth LLC*, 435 F. App’x 917, 926 (Fed. Cir. 2011))).

25. Inducement may be shown by an accused infringer’s actions encouraging or instructing another on how to use an accused device in a way that infringes a patent such as through the provision of user manuals or advertisements. *Golden Blount*, 438 F.3d at 1361-64; *see also Chiuminatta Concrete Concepts, Inc. v. Cardinal Indus., Inc.*, 145 F.3d 1303, 1311-12 (Fed. Cir. 1998). Sales-related activities, including advertising, solicitation, and product instruction that encourage the infringing use may be acts constituting inducement. *See Biotec Biologische Naturverpackungen GmbH v. Biocorp, Inc.*, 249 F.3d 1341, 1351 (Fed. Cir. 2001) (product manual instructed customers to use product so as to meet the patented limitation, thereby constituting an act of inducement); *Moleculon Research*, 793 F.2d at 1272 (citing instruction sheet, puzzle solution booklet). “So too the sale of a device may induce infringement

of a method claim, even if the accused device is capable of non-infringing modes of operation in unusual circumstances.” *Hilgraeve Corp.*, 265 F.3d. at 1343.

Willful Infringement

26. To state a claim for willful infringement, a patent owner must allege facts showing: (1) an objectively high likelihood that the defendant’s actions constituted infringement, and (2) that the defendant either knew or should have known about the risk of infringement. *See In re Seagate Tech., LLC*, 497 F.3d 1360, 1371 (Fed. Cir. 2007).

27. Under *Halo Electronics, Inc. v. Pulse Electronics, Inc.*, 136 S. Ct. 1923 (2016), the jury must decide is whether it is more likely than not that L’Oréal’s infringement was egregious. *Id.* at 1934. Egregious conduct can be willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, flagrant, or characteristic of a pirate. *Id.* at 1932. “The subjective willfulness of a patent infringer, intentional or knowing, may warrant enhanced damages, without regard to whether his infringement was objectively reckless.” *Id.* at 1933. Thus, under *Halo*, the fact-finder must determine that the defendant’s behavior was subjectively willful under a preponderance of the evidence standard. *Id.* at 1934.

28. Subjective willfulness is found when “the risk of infringement ‘was either known or so obvious that it should have been known to the accused infringer.’” *Id.* at 1930 (quoting *In re Seagate Tech., LLC*, 497 F.3d 1360, 1371 (Fed. Cir. 2007) (en banc)).

29. Willfulness “is quintessentially a question of fact . . .” *Biotec Biologische*, 249 F.3d at 1356.

30. There are several factors that a court and/or jury may use to assess whether the accused infringer's conduct was willful: (1) whether the infringer deliberately copied the ideas or design of another; (2) whether the infringer, when he knew of the other's patent protection, investigated the scope of the patent and formed a good-faith belief that it was invalid or that it was not infringed; (3) the infringer's behavior as a party to the litigation; (4) defendant's size and financial condition; (5) closeness of the case; (6) duration of defendant's misconduct; (7) remedial action by the defendant; (8) defendant's motivation for harm. *Read Corp. v. Portec, Inc.*, 970 F.2d 816, 826-27 (Fed. Cir. 1992), *abrogated in part on other grounds by Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996). These non-exhaustive *Read* factors underscore that "there are no hard and fast per se rules in respect of willfulness." *Studiengesellschaft Kohle, m.b.H. v. Dart Indus., Inc.*, 862 F.2d 1564, 1573 (Fed. Cir. 1988). Courts often use the same non-exhaustive list of factors to determine if damages should be enhanced. *SRI Int'l, Inc. v. Advanced Tech. Labs., Inc.*, 127 F.3d 1462, 1469 (Fed. Cir. 1997).

31. "Willfulness requires a showing that the totality of the circumstances evince the egregious conduct that constitutes willful infringement." *nCube*, 436 F.3d at 1323-24 (quoting *Imonex Servs., Inc. v. W.H. Munzprufer Dietmar Trenner GMBH*, 408 F.3d 1374, 1377 (Fed. Cir. 2005)). "In determining whether willfulness has been shown, [the court looks] to the totality of the circumstances, understanding that willfulness, 'as in life, is not an all-or-nothing trait, but one of degree. It recognizes that infringement may range from unknowing, or accidental, to deliberate, or reckless, disregard of the patentee's legal rights.'" *Comark Commc'ns, Inc. v. Harris Corp.*, 156 F.3d 1182, 1190 (Fed. Cir. 1998) (quoting *Rite-Hite Corp. v. Kelley Co., Inc.*, 819 F.2d 1120, 1125-26 (Fed. Cir. 1987)). "The extent to which the infringer disregarded the property rights of the patentee, the deliberateness of the tortious acts, or other manifestations of

unethical or injurious commercial conduct, may provide grounds for a finding of willful infringement.” *Golden Blount*, 438 F.3d at 1367-68 (quoting *Hoechst Celanese Corp. v. BP Chems. Ltd.*, 78 F.3d 1575, 1583 (Fed. Cir. 1996)); *see also BMW of N. Am., Inc. v. Gore*, 517 U.S. 559, 575-76 (1996) (“[S]ome wrongs are more blameworthy than others. . . . ‘[T]rickery and deceit’ are more reprehensible than negligence.”).

32. Evidence of pre-issuance conduct can be relevant to showing willful infringement. *See Sonos, Inc. v. D&M Holdings Inc.*, C.A. No. 14-1330-WCB, 2017 WL 5633204, at *3-4 (D. Del. Nov. 21, 2017) (noting that although “there can be no willful infringement before a patent is issued That principle, however, does not answer the question whether evidence of pre-issuance conduct, such as copying of the plaintiff’s products, is admissible to show post-issuance willfulness”). The Federal Circuit and this Court have repeatedly confirmed that an accused infringer’s pre-issuance conduct can be relevant to willful infringement. *See, e.g., Minn. Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 1581 (Fed. Cir. 1992) (“[P]re-patent conduct may also be used to support a finding of willfulness.”); *Shiley, Inc. v. Bentley Labs., Inc.*, 794 F.2d 1561, 1568 (Fed. Cir. 1986) (same). This Court’s decisions are in accord. *See Sonos*, 2017 WL 5633204, at *3-4; *Idenix Pharm. LLC v. Gilead Scis., Inc.*, C.A. No. 13-1987-LPS, 2016 WL 7380530, at *1 (D. Del. Dec. 4, 2016); *Chimie v. PPG Indus., Inc.*, 218 F.R.D. 416, 422 (D. Del. 2003).

33. Likewise, conduct after becoming aware of the Patents-in-Suit and conduct after the lawsuit is filed are relevant to willfulness. “[P]atent infringement is a continuing tort The filing of a lawsuit does not stop the clock insofar as culpability may arise from continuing disregard of the legal rights of the patentee.” *Pall Corp. v. Micron Separations, Inc.*, 66 F.3d 1211, 1221-22 (Fed. Cir. 1995); *see also Gasser Chair Co., Inc. v. Infanti Chair Mfg. Corp.*, 60

F.3d 770, 776 (Fed. Cir. 1995) (“Whether Infanti was justified in producing chairs prior to the issuance of Gasser’s patent is irrelevant to whether it was justified in doing so after being made aware of it.”); *Apple Inc. v. Samsung Elecs. Co., Ltd.*, 258 F. Supp. 3d 1013, 1024-29 (N.D. Cal. 2017) (pre-suit and pre-issuance copying “is evidence of willfulness” in light of continued sale of accused product while refusing to switch to non-infringing alternative). A party that continues its accused infringing activity after a patentee files suit can be guilty of willful infringement even if that party presents a non-frivolous defense to infringement. *Crystal Semiconductor Corp. v. TriTech Microelectronics Int’l, Inc.*, 246 F.3d 1336, 1351-52 (Fed. Cir. 2001).

Standing

34. A signed and witnessed assignment executed and recorded before filing suit is effective to convey standing. *Pandrol USA, LP v. Airboss Ry. Prod., Inc.*, 320 F.3d 1354, 1368 (Fed. Cir. 2003). The assignment of rights to a nonexistent entity is ineffective to divest the assignor’s interest, and the effect is that the rights remain the property of the assignor. *See Diagnostic Med. Assocs. v. N.Y. City Dist. Council of Carpenters Welfare Fund*, No. 04-7662, 2006 WL 728486, at *8 (S.D.N.Y. Mar. 21, 2006); *see also Imperium (IP) Holdings, Inc. v. Apple, Inc.*, No. 4:11-CV-163, 2012 WL 2995697, at *2 (E.D. Tex. July 23, 2012) (affirming magistrate judge holding that “even if the assignment was intended to be assigned to ESS Technologies International, Inc., that entity did not exist at the time of the 2004 Pictos Assignment. Therefore, the 2004 Pictos Assignment would be void as a matter of law, and Pictos Technologies, Inc. would have retained their rights to the patents in-suit.”).

35. It is well settled that agreements which merely obligate inventors to grant rights in the future — *e.g.*, to a later formed company that will own and operate the intellectual property — do not vest legal title. *See, e.g., Arachnid, Inc. v. Merit Indus., Inc.*, 939 F.2d 1574, 1581

(Fed. Cir. 1991) (contract stating “[a]ny inventions conceived by [inventors] ... shall be the property of CLIENT, and all rights thereto will be assigned ... to CLIENT” reflected an agreement to assign, not a present conveyance); *Advanced Video Techs. LLC v. HTC Corp.*, No. 15-cv-4626, 2016 WL3434819, at *8-9 (S.D.N.Y. June 14, 2016) (“The words ‘will assign,’ read naturally, refer to something Hsiun is agreeing to do in the future. And indeed, that is how these words have been interpreted by the courts . . . ‘Will’ is the language of a promise to do something in the future; it does not suggest present action.”); *Freedom Wireless v. Boston Comm’ns Group, Inc.*, 220 F. Supp. 2d 16, 18 (D. Mass. 2002) (contract stating “all inventions . . . belong to the Company” ineffective to transfer legal title).

36. The Federal Circuit has held that language such as “hereby assign” or “hereby grant” is generally required to effect a present transfer of future patent rights. *Bd. of Trustees of Leland Stanford Junior Univ. v. Roche Molecular Sys., Inc.*, 583 F.3d 832, 841–42 (Fed. Cir. 2009) (“We have held that the contract language ‘agree to assign’ reflects a mere promise to assign rights in the future, not an immediate transfer of expectant interests . . . In contrast to the CPA, the VCA’s language of ‘do hereby assign’ effected a present assignment of Holodniy’s future inventions to Cetus.”); *see also DDB Techs.*, 517 F.3d 1284 at 1290 (“agrees to and does hereby grant and assign” connotes present assignment); *Speedplay, Inc. v. Bebop, Inc.*, 211 F.3d 1245, 1253 (Fed. Cir. 2000) (“hereby conveys, transfers and assigns” connotes present assignment); *Filmtec Corp. v. Allied-Signal Inc.*, 939 F.2d 1568, 1570 & 1573 (Fed. Cir. 1991) (“agrees to grant and does hereby grant” connotes present assignment).

B. Requested Relief for Infringement of the ‘419 Patent

1. Issues of Law to be Litigated

37. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal directly infringes the asserted claims of the ‘419 Patent.

38. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal induces infringement of the asserted claims of the ‘419 Patent.

39. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal willfully infringes the asserted claims of the ‘419 Patent.

40. Whether Olaplex has proven that it is entitled to a permanent injunction enjoining L’Oréal, its parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, assigns, and attorneys, and any and all others acting in privity or concert with it from further infringement of the asserted claims of the ‘419 Patent.

41. Whether Olaplex has proven that it is owed damages for L’Oréal’s infringement of the ‘419 Patent and, if so, in what amount.

42. Whether Olaplex has proven that it is entitled to an accounting of damages and/or supplemental damages for all damages occurring after any discovery cutoff and through the Court’s decision regarding the imposition of a permanent injunction and for post-verdict infringement and, if so, in what amount.

43. Whether Olaplex has proven that it is entitled to an award of prejudgment and post-judgment interest and, if so, in what amounts.

44. Whether Olaplex has proven that it is entitled to enhanced damages under 35 U.S.C. § 284 for L'Oréal's willful infringement of the '419 Patent and, if so, in what amount.

45. Whether Olaplex has proven that it is entitled to an award of attorneys' fees and costs under 35 U.S.C. § 285 and, if so, in what amount.

46. Whether Olaplex has proven that it is entitled to any other relief as this Court deems just and proper.

2. Legal Authority

Damages

47. Upon a finding of infringement, the patentee shall be awarded "damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the court." 35 U.S.C. § 284.

48. The patent statute "imposes no limitation on the types of harm resulting from infringement that the statute will redress. The section's broad language awards damages for any injury as long as it resulted from the infringement." *King Instruments Corp. v. Perego*, 65 F.3d 941, 947 (Fed. Cir. 1995). "The phrase 'damages adequate to compensate' means full compensation for 'any damages' [the patent owner] suffered as a result of the infringement." *Grain Processing Corp. v. American Maize-Prods. Co.*, 185 F.3d 1341, 1349 (Fed. Cir. 1999) (citing *Gen. Motors Corp. v. Devex Corp.*, 461 U.S. 648, 654 (1983)). "Full compensation includes any foreseeable lost profits the patent owner can prove." *Id.* A damage award shall be "in no event less than a reasonable royalty," which sets the floor below which a damage award

may not fall. *See Rite-Hite*, 56 F.3d at 1544. “[T]he Supreme Court has interpreted [35 U.S.C. § 284] to mean that ‘adequate’ damages should approximate those damages that will fully compensate the patentee for infringement.” *Id.* at 1545.

49. “[T]he amount of a prevailing party’s damages is a finding of fact on which the plaintiff bears the burden of proof by a preponderance of the evidence.” *Smithkline Diagnostics, Inc. v. Helena Labs. Corp.*, 926 F.2d 1161, 1164 (Fed. Cir. 1991). The patentee, however, need not prove its damages with absolute certainty. *See W.R. Grace & Co.-Conn. v. Intercat, Inc.*, 60 F. Supp. 2d 316, 321 (D. Del. 1999). “[I]t will be enough if the evidence show [*sic*] the extent of the damages as a matter of just and reasonable inference, although the result be only approximate.” *Story Parchment Co. v. Paterson Parchment Paper Co.*, 282 U.S. 555, 563 (1931). Moreover, “any doubt about the correctness [of damages] is resolved against the infringer.” *State Indus., Inc. v. Mor-Flo Indus., Inc.*, 883 F.2d 1573, 1576 (Fed. Cir. 1989); *W.R. Grace*, 60 F. Supp. 2d at 321. “[F]undamental principles of justice require us to throw the risk of any uncertainty upon the wrongdoer instead of upon the injured party.” *Paper Converting Machine Co. v. Magna-Graphics Corp.*, 745 F.2d 11, 22 (Fed. Cir. 1984).

Lost Profits

50. To recover damages for lost profits, a patent owner must first demonstrate that, “but for” the alleged infringement, the patent owner would have made additional profits. *Panduit Corp. v. Stahl Bros. Fibre Works*, 575 F.2d 1152 (6th Cir. 1978).

51. In *Panduit Corp.*, the court found that a patent owner can establish the causal nexus needed to prove lost profits by establishing four conditions or factors: (1) demand for the patented product, (2) absence of acceptable noninfringing substitutes, (3) manufacturing and

marketing capability to exploit the demand, and (4) the amount of profit the patent owner would have made. *Presidio Components, Inc. v. American Technical Ceramics Corp.*, 875 F.3d 1369, 1380 (Fed. Cir. 2017) (citing *Panduit Corp.*, 575 F.2d at 1152).

Reasonable Royalty

52. “A patentee is entitled to no less than a reasonable royalty on an infringer’s sales for which the patentee has not established entitlement to lost profits.” *Rite-Hite*, 56 F.3d at 1554. “A patentee receives a reasonable royalty for any of the infringer’s sales not included in the lost profit calculation.” *Crystal Semiconductor*, 246 F.3d at 1354. “Thus, a patentee may obtain lost profit damages for that portion of the infringer’s sales for which the patentee can demonstrate ‘but for’ causation and reasonable royalties for any remaining infring[ement].” *Id.*

53. “A reasonable royalty is the amount of money that would be agreed to in a hypothetical arms-length negotiation between the owners of the patent rights and the infringer, with both operating under the assumption that the negotiated patent is not invalid and is infringed.” *Johns Hopkins Univ. v. CellPro*, 894 F. Supp. 819, 838 (D. Del. 1995). “[W]hat an infringer would prefer to pay is not the test for damages.” *Rite-Hite*, 56 F.3d at 1555. “[T]hat the parties might have agreed to a lesser royalty is of little relevance, for to look only at that question would be to pretend that the infringement never happened; it would also make an election to infringe a handy means for competitors to impose a compulsory license policy upon every patent owner.” *Id.* “There is no rule that a royalty be no higher than the infringer’s net profit margin.” *State Indus.*, 883 F.2d at 1580.

54. The hypothetical negotiation is presumed to take place on the eve of first infringement. *Hanson v. Alpine Valley Ski Area, Inc.*, 718 F.2d 1075, 1079 (Fed. Cir. 1983).

“The Court also must assume, for purposes of the hypothetical negotiation, that all parties would have known all relevant information.” *Mobil Oil Corp. v. Amoco Chems. Co.*, 915 F. Supp. 1333, 1353 (D. Del. 1995). The hypothetical negotiation speaks of negotiations as of the time infringement began, yet a court may look to events and facts that occurred thereafter and that could not have been known to or predicted by the hypothetical negotiators. *Studiengesellschaft Kohle*, 862 F.2d at 1571-72. A jury may consider industry royalty rates in determining an applicable royalty rate, but these “do not necessarily establish a ceiling for the royalty that may be assessed after an infringement trial. *Bio-Rad*, 739 F.2d at 617.

55. The reasonable royalty may be based on the “supposed result of hypothetical negotiations between the plaintiff and defendant.” *Transocean Offshore Deepwater Drilling, Inc. v. Maersk Drilling USA, Inc.*, 699 F.3d 1340, 1357 (Fed. Cir. 2012). “While the Federal Circuit has not prescribed a specific methodology for calculating a reasonable royalty, courts rely upon the fifteen factors set forth in *Georgia-Pacific Corp. v. United States Plywood Corp.*, 318 F. Supp. 1116, 1120 (S.D.N.Y. 1970).” *St. Clair Intellectual Prop. Consultants, Inc. v. Canon, Inc.*, No. CIV.A. 03-241 JJF, 2004 WL 2213562, at *2 (D. Del. Sept. 28, 2004). These factors are:

- (a) The royalties received by the patentee for the licensing of the patent in suit, proving or tending to prove an established royalty.
- (b) The rates paid by the patentee, the licensee, or others for the use of other patents comparable to the patent in suit.

(c) The nature and scope of the license, as exclusive or non-exclusive; or as restricted or nonrestricted in terms of territory or with respect to whom the manufactured product may be sold.

(d) The licensor's established policy and marketing program to maintain his patent monopoly by not licensing others to use the invention or by granting licenses under special conditions designed to preserve that monopoly.

(e) The commercial relationship between the licensor and licensee, such as whether they are competitors in the same territory in the same line of business; or whether they are inventor and promotor.

(f) The effect of selling the patented specialty in promoting sales of other products of the licensee; the existing value of the invention to the licensor as a generator of sales of his non-patented items; and the extent of such derivative or convoyed sales.

(g) The duration of the patent and the term of the license.

(h) The established profitability of the product made under the patent; its commercial success; and its current popularity.

(i) The utility and advantages of the patent property over the old modes or devices, if any, that had been used for working out similar results.

(j) The nature of the patented invention; the character of the commercial embodiment of it as owned and produced by the licensor; and the benefits to those who have used the invention.

(k) The extent to which the infringer has made use of the invention; and any evidence probative of the value of that use.

(l) The portion of the profit or of the selling price that may be customary in the particular business or in comparable businesses to allow for the use of the invention or analogous inventions.

(m) The portion of the realizable profit that should be credited to the invention as distinguished from non-patented elements, the manufacturing process, business risks, or significant features or improvements added by the infringer.

(n) The opinion testimony of qualified experts.

(o) The amount that a licensor (such as the patentee) and a licensee (such as the infringer) would have agreed upon (at the time the infringement began) if both had been reasonably and voluntarily trying to reach an agreement; that is, the amount which a prudent licensee – who desired, as a business proposition, to obtain a license to manufacture and sell a particular article embodying the patented invention – would have been willing to pay as a royalty and yet be able to make a reasonable profit and which amount would have been acceptable by a prudent patentee who was willing to grant a license. *Georgia-Pacific Corp.*, 318 F. Supp. at 1120.

56. “[I]n conducting the hypothetical negotiation, the Court is permitted to look to events and facts that occurred after the infringement began.” *Mobil Oil*, 915 F. Supp. at 1353. “[T]he patentee . . . must in every case give evidence tending to separate or apportion the defendants profits and the patentee’s damages between the patented features and the unpatented features . . . or show that the entire market value of the whole machine, as a marketable article, is properly and legally attributable to the patented feature.” *Uniloc USA, Inc. v. Microsoft Corp.*, 632 F.3d 1292, 1318 (Fed. Cir. 2011). Apportionment may be achieved in any number of legally-acceptable ways: “Logically, an economist could do this in various ways — by careful

selection of the royalty base to reflect the value added by the patented feature, where that differentiation is possible; by adjustment of the royalty rate so as to discount the value of the product's non-patented features; or by a combination thereof. The essential requirement is that the ultimate reasonable royalty award must be based on the incremental value that the patented invention adds to the end product.” *Ericsson, Inc. v. D-Link Sys., Inc.*, 773 F.3d 1201, 1226-27 (Fed. Cir. 2014).

57. Even if evidence presented at trial falls short of supporting a party's specific royalty estimate, “the fact finder is still required to determine what royalty is supported by the record.” *Apple Inc. v. Motorola, Inc.*, 757 F.3d 1286, 1327-28 (Fed. Cir. 2014) (citing cases) (overruled on other grounds *Williamson v. Citrix Online, LLC*, 792 F.3d 1339, 1349 (Fed. Cir. 2015)). “The statute is unequivocal that the district court must award damages in an amount no less than a reasonable royalty.” *Dow Chem. Co. v. Mee Indus., Inc.*, 341 F.3d 1370, 1381-82 (Fed. Cir. 2003); *see also Del Mar Avionics, Inc. v. Quinton Instrument Co.*, 836 F.2d 1320, 1327 (Fed. Cir. 1987) (“The requirement to determine actual damages is not diminished by difficulty of determination.”). “Indeed, if the record evidence does not fully support either party's royalty estimate, the fact finder must still determine what constitutes a reasonable royalty from the record evidence.” *Apple v. Motorola*, 757 F.3d at 1328. “[T]he factual determination of a reasonable royalty, however, need not be supported, and indeed, frequently is not supported by the specific figures advanced by either party. . . . [T]he district court may reject the extreme figures proffered by the litigants as incredible and substitute an intermediate figure as a matter of its judgment from all of the evidence.” *SmithKline Diagnostics*, 926 F.2d at 1167-68.

Post-Verdict Accounting

58. A patentee should also be entitled to an accounting of damages for pre-verdict and post-verdict sales of products found to infringe the patents-in-suit. See *Mikohn Gaming Corp. v. Acres Gaming, Inc.*, No. 97 Civ 1383, 2001 WL 34778689, 2001 U.S. Dist. LEXIS 23416, at *52-65 (D. Nev. Aug. 1, 2001) (describing numerous instances of accountings in patent cases); see also, e.g., *Edwards Lifesciences AG v. CoreValve, Inc.*, No. 08–91–GMS, 2011 WL 446203, at *16 (D. Del. Feb. 7, 2011), *aff’d in part, remanded in part*, 699 F.3d 1305 (Fed. Cir. 2012) (“The court will grant . . . an accounting of the number of [infringing] devices made, used, sold . . . through the date of the order accompanying this memorandum.”). Courts in this District have permitted additional discovery to properly complete an accounting of damages. *TruePosition Inc. v. Andrew Corp.*, No. CIV. 05–747–SLR, 2009 WL 1651042, at *1 n.2 (D. Del. June 10, 2009), *aff’d*, 389 F. App’x 1000 (Fed. Cir. 2010).

Prejudgment Interest

59. The patent statute authorizes awards of prejudgment interest. 35 U.S.C. § 284. The Supreme Court has held that “prejudgment interest should ordinarily be awarded.” *Gen. Motors*, 461 U.S. at 655. “An award of prejudgment interest serves to make the patentee whole because the patentee also lost the use of its money due to infringement.” *Crystal Semiconductor*, 246 F.3d at 1361. In *General Motors*, the Supreme Court held that prejudgment interest is the rule, not the exception. *Id.* “Prejudgment interest shall ordinarily be awarded absent some justification for withholding such an award.” *Nickson Indus., Inc. v. Rol Mfg. Co., Ltd.*, 847 F.2d 795, 800 (Fed. Cir. 1988) (citing *Gen. Motors*, 461 U.S. at 657). “[P]rejudgment interest should

be awarded from the date of infringement to the date of judgment.” *Id.* (citing *Gen. Motors*, 461 U.S. at 656).

60. “The rate of prejudgment interest and whether it should be compounded or un-compounded are matters left largely to the discretion of the district court. . . . In exercising that discretion, however, the district court must be guided by the purpose of prejudgment interest, which is ‘to ensure that the patent owner is placed in as good a position as he would have been had the infringer entered into a reasonable royalty agreement.’” *Bio-Rad Labs., Inc. v. Nicolet Instrument Corp.*, 807 F.2d 964, 969 (Fed. Cir. 1986) (citation omitted).

Post-Judgment Interest

61. Section 1961(a) of Title 28 of the United States Code states that “interest shall be allowed on any money judgment in a civil case recovered in a district court.” “Postjudgment interest is awarded on monetary judgments recovered in all civil cases,” including ones for patent infringement. *Transmatic, Inc. v. Gulton Indus., Inc.*, 180 F.3d 1343, 1347 (Fed. Cir. 1999).

62. Post-judgment interest is governed by regional circuit law. *Id.* at 1348. Interest begins to accrue on the date of the entry of judgment. *Loughman v. Consol-Penn. Coal Co.*, 6 F.3d 88, 97 (3d Cir. 1993). Courts in this district routinely award post-judgment interest in patent infringement cases. *See nCUBE Corp. v. SeaChange Int’l, Inc.*, 313 F. Supp. 2d 361, 392 (D. Del. 2004), *aff’d*, 436 F.3d 1317 (Fed. Cir. 2006) (awarding post-judgment interest to patentee for defendant’s willful infringement); *TruePosition Inc. v. Andrew Corp.*, 611 F. Supp. 2d 400, 414 (D. Del. 2009), *aff’d*, 389 F. App’x 1000 (Fed. Cir. 2010) (awarding post-judgment interest for patent infringement).

Enhanced Damages

63. 35 U.S.C. § 284 provides in pertinent part that “the court may increase the damages up to three times the amount found or assessed.” The Court may enhance damages, up to trebling the actual damages, upon a finding of willful infringement. *Johns Hopkins Univ. v. CellPro, Inc.*, 152 F.3d 1342, 1364 (Fed. Cir. 1998).

64. In determining whether to award enhanced damages, a Court should consider “egregiousness of the defendant’s conduct based on all the facts and circumstances.” *Read*, 970 F.2d at 826-27. In exercising its discretion to enhance damages, the Court should consider the weight of the evidence of the infringer’s culpability in light of the following factors:

- (a) whether the infringer copied the ideas or design of another,
- (b) whether the infringer, when he knew of the other’s patent protection, investigated the scope of the patent and formed a good faith belief that it was invalid or that it was not infringed,
- (c) the infringer’s behavior as a party to the litigation,
- (d) the infringer’s size and financial condition,
- (e) the closeness of the case,
- (f) the duration of the infringer’s misconduct,
- (g) any remedial action of the infringer,
- (h) the infringer’s motivation for harm, and

- (i) whether the infringer attempted to conceal its misconduct.

Johns Hopkins, 152 F.3d at 1352 n.16, 1364-65; *see also Imonex*, 408 F.3d at 1377 (“[The Federal Circuit] has identified several criteria for assessing damages, including, *inter alia*, whether the infringer, when he knew of the other’s patent protection, investigated the scope of the patent and formed a good-faith belief that it was invalid or that it was not infringed, and the duration of defendant’s misconduct”).

Permanent Injunctive Relief

65. “[T]he public interest nearly always weighs in favor of protecting property rights in the absence of countervailing factors, especially when the patentee practices his inventions. ‘[T]he encouragement of investment-based risk is the fundamental purpose of the patent grant, and is based directly on the right to exclude.’” *Apple Inc. v. Samsung Elecs. Co.*, 809 F.3d 633, 647 (Fed. Cir. 2015) (quoting *Sanofi-Synthelabo v. Apotex, Inc.*, 470 F.3d 1368, 1383 (Fed. Cir. 2006)).

66. Under 35 U.S.C. § 283, “[t]he several courts having jurisdiction of cases under th[e patent] title may grant injunctions in accordance with the principles of equity to prevent the violation of any right secured by patent, on such terms as the court deems reasonable.” Further, “the Patent Act also declares that ‘patents shall have the attributes of personal property,’ § 261, including ‘the right to exclude others from making, using, offering for sale, or selling the invention,’ § 154(a)(1).” *eBay, Inc. v. MercExchange L.L.C.*, 126 S. Ct. 1837, 1840 (2006).

67. “[T]he decision whether to grant or deny injunctive relief rests within the equitable discretion of the district courts, and that such discretion must be exercised consistent

with traditional principles of equity” *Id.* at 1838. A plaintiff seeking a permanent injunction “must demonstrate: (1) that it has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted; and (4) that the public interest would not be disserved by a permanent injunction.” *Id.* at 1839.

68. The loss of the right to exclude can constitute irreparable harm. *See Novozymes A/S v. Genencor Int’l, Inc.*, 474 F. Supp. 2d 592, 612 (D. Del. 2007). Another factor supporting a finding of irreparable harm is when the infringer will enter the patentee’s market as a direct competitor. *See Sanofi-Aventis Deutschland GmbH v. Glenmark Pharm. Inc.*, 821 F. Supp. 2d 681, 694 (D.N.J. 2011), *aff’d*, 748 F.3d 1354 (Fed. Cir. 2014); *Amgen Inc. v. F. Hoffman-LaRoche Ltd.*, 581 F. Supp. 2d 160, 212 (D. Mass. 2008), *aff’d in relevant part*, 580 F.3d 1340 (Fed. Cir. 2009); *Emory Univ. v. Nova Biogenetics, Inc.*, No. 1:06-CV-0141-TWT, 2008 WL 2945476, at *4-5 (N.D. Ga. July 25, 2008).

69. “Where two companies are in competition against one another, the patentee suffers the harm—often irreparable—of being forced to compete against products that incorporate and infringe its own patented inventions.” *Douglas Dynamics, LLC v. Buyers Prods. Co.*, 717 F.3d 1336, 1345 (Fed. Cir. 2013). “Courts awarding permanent injunctions typically do so under circumstances in which the plaintiff practices its invention and is a direct market competitor.” *Invista N. Am. S.A.R.L. v. M & G USA Corp.*, 35 F. Supp. 3d 583, 608 (D. Del. 2014). “Direct competition in the same market is certainly one factor suggesting strongly the potential for irreparable harm without enforcement of the right to exclude.” *Presidio Components, Inc. v. Am. Tech. Ceramics Corp.*, 702 F.3d 1351, 1363 (Fed. Cir. 2012).

70. Monetary damages may be inadequate to compensate for injury when “Plaintiffs have suffered a loss of market share, harm to reputation, and price erosion, all of which are facts that tend to establish the inadequacy of a legal remedy.” *Sanofi-Aventis*, 821 F. Supp. 2d at 694. In addition, the patent holder’s refusal to license the technology and to instead engage in extensive litigation demonstrates that monetary damages are inadequate. *Id.*

71. The balance of the hardships does not favor the defendant when “[a]ny harms Defendants may suffer as a result of an injunction ‘were almost entirely preventable and were the result of its own calculated risk.’” *Id.* at 695 (quoting *Sanofi-Synthelabo*, 470 F.3d at 1383).

Attorneys’ Fees and Costs under 35 U.S.C. § 285

72. 35 U.S.C. § 285 provides that “[t]he court in exceptional cases may award reasonable attorney fees to the prevailing party.” Determining whether a case is exceptional and whether attorneys’ fees should be granted under 35 U.S.C. § 285 is a two-step process. *Tate Access Floors*, 222 F.3d at 964. The first step is a factual determination whether the case is exceptional, and the second step, the Court exercises its discretion to determine whether attorneys’ fees should be awarded. *Id.*

73. To be a “prevailing party,” a party “must win a dispute within the case in favor of it that materially alters the legal relationship between the parties at the time of the judgment.” *Parallel Iron LLC v. NetApp Inc.*, 70 Supp. 3d 585, 589 (D. Del. 2014).

74. In *Octane Fitness, LLC v. ICON Health & Fitness, Inc.*, 134 S. Ct. 1749, 1756 (2014), the Supreme Court held that “an ‘exceptional’ case is simply one that stands out from others with respect to the substance strength of a party’s litigating position (considering both the

governing law and the facts of the case) or the unreasonable manner in which the case was litigated.)” The Supreme Court added: “District courts may determine whether a case is exceptional in the case-by-case exercise of their discretion.” *Id.*; *see also id.* (“As in the comparable context of the Copyright Act, there is no precise rule or formula for making these determinations, but instead equitable discretion should be exercised in light of the considerations we have identified.”). The prevailing party must prove entitlement to attorney fees under § 285 by a preponderance of the evidence. *Id.* at 1758; *see also Chalumeau Power Sys. LLC v. Alcatel-Lucent*, No. CV 11-1175-RGA, 2014 WL 4675002, at *2 (D. Del. Sept. 12, 2014).

75. “[A]n ‘exceptional’ case is simply one that stands out from others with respect to the substantive strength of a party’s litigating position . . . or the unreasonable manner in which the case was litigated.” *Octane Fitness*, 134 S. Ct. at 1756. There is “no precise rule or formula” for awarding attorneys’ fees under § 285. *Id.* District courts should “consider[] the totality of the circumstances.” *Id.* A district court’s “discretion should be exercised in light of the considerations” underlying the grant of that discretion. *Id.* “[C]ulpability is generally measured against the knowledge of the actor at the time of the challenged conduct,” and such culpability can be found if an infringer “acts knowing or having reason to know of facts which would lead a reasonable man to realize his actions are unreasonably risky.” *Halo*, 136 S. Ct. at 1933 (emphasis in original and internal quotation omitted).

76. A district court may also invoke its inherent power to impose sanctions in the form of reasonable expert fees in excess of what is provided for by statute in cases involving bad faith that cannot be otherwise reached by rules or statutes. *Takeda Chem. Indus., Ltd. v. Mylan Labs., Inc.*, 549 F.3d 1381, 1391 (Fed. Cir. 2008) (affirming the district court’s award of expert

fees under the court's inherent power based on the generic companies' bad faith and vexatious litigation conduct).

Other Permanent Injunctive Relief

77. Under Delaware law, "[t]o succeed in a request for a permanent injunction, a party must show (i) actual success on the merits; (ii) that it would suffer irreparable harm if the injunction is not granted; and (iii) that the balance of the equities favors it." *N. River Ins. Co. v. Mine Safety Appliances Co.*, 105 A.3d 369, 380 n.47 (Del. 2014), *as revised* (Nov. 10, 2014).

II. INFRINGEMENT OF U.S. PATENT NO. 9,668,954 ("THE '954 PATENT")

A. Infringement of the '954 Patent

1. Issues of Law to be Litigated

Direct Infringement

78. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal directly infringes the asserted claims of the '954 Patent by either having made, making, using, offering for sale, selling, and/or importing the Accused Products.

Induced Infringement

79. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal induces infringement of the asserted claims of the '954 Patent by actively inducing others to use and/or sell the Accused Products.

Willful Infringement

80. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal has willfully infringed the asserted claims of the '954 Patent.

2. **Legal Authority**

81. *See supra* Section I.A.2.

B. Requested Relief for Infringement of the ‘954 Patent

1. **Issues of Law to be Litigated**

82. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal directly infringes the asserted claims of the ‘954 Patent.

83. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal induces infringement of the asserted claims of the ‘954 Patent.

84. Whether Olaplex has proven that it is entitled to a judgment that L’Oréal willfully infringes the asserted claims of the ‘954 Patent.

85. Whether Olaplex has proven that it is entitled to a permanent injunction enjoining L’Oréal, its parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, assigns, and attorneys, and any and all others acting in privity or concert with it from further infringement of the asserted claims of the ‘954 Patent.

86. Whether Olaplex has proven that it is owed damages for L’Oréal’s infringement of the ‘954 Patent and, if so, in what amount.

87. Whether Olaplex has proven that it is entitled to an accounting of damages and/or supplemental damages for all damages occurring after any discovery cutoff and through the Court’s decision regarding the imposition of a permanent injunction and post-verdict infringement and, if so, in what amount.

88. Whether Olaplex has proven that it is entitled to an award of prejudgment and post-judgment interest and, if so, in what amounts.

89. Whether Olaplex has proven that it is entitled to enhanced damages under 35 U.S.C. § 284 for L'Oréal's willful infringement of the '954 Patent and, if so, in what amount.

90. Whether Olaplex has proven that it is entitled to an award of attorneys' fees and costs under 35 U.S.C. § 285 and, if so, in what amount.

91. Whether Olaplex has proven that it is entitled to any other relief as this Court deems just and proper.

2. Legal Authority

92. *See supra* Section I.B.2.

III. OLAPLEX'S CLAIMS FOR MISAPPROPRIATION OF TRADE SECRETS

1. Issues of Law to be Litigated

93. Whether Olaplex has proven by a preponderance of the evidence that it possessed/possesses trade secret information.

94. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal and/or its Representatives (as defined under the NDAs) had access to Olaplex's trade secret information.

95. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal's and/or its Representatives' (as defined in the NDAs) access to Olaplex's trade secret information occurred pursuant to an understanding that L'Oréal would protect the secrecy of Olaplex's trade secret information.

96. Whether Olaplex has proven by a preponderance of the evidence that L'Oréal and/or its Representatives (as defined in the NDAs) improperly used or disclosed Olaplex's trade secret information for its own benefit.

97. Whether Olaplex has proven by a preponderance of the evidence that it has suffered damages as a result of L'Oréal's and/or its Representatives' (as defined in the NDAs) theft of its trade secret information.

98. Whether Olaplex has proven by a preponderance of the evidence that it is entitled to injunctive relief prohibiting L'Oréal, its Representatives (as defined in the NDAs), and their parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, assigns, and attorneys, and any and all others acting in privity or concert with them from using any of Olaplex's trade secret information.

99. Whether Olaplex is entitled to attorneys' fees as a result of L'Oréal's and/or its Representatives' (as defined in the NDAs) use of Olaplex's trade secret information.

2. Legal Authority

100. To prevail on a claim of trade secret misappropriation under the Delaware Uniform Trade Secrets Act ("DUTSA"), a plaintiff must show the "[a]cquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means" or, alternatively, the "[d]isclosure or use of a trade secret of another without express or implied consent" by a person who either: (1) acquired the secret by improper means; or (2) knew or had reason to know that their knowledge of the trade secret was (A) derived by another who acquired it by improper means, (B) "[a]cquired under circumstances giving rise to a duty to maintain its secrecy or limit its use," or (C) acquired by accident or mistake. *See* 6 Del.

C. § 2001(2); *Accenture Global Services GMBH v. Guidewire Software Inc.*, 581 F. Supp. 2d 654,662 (D. Del. 2008) (citing Del. Code Ann. tit. 6, § 2001).

101. Under the DUTSA, a trade secret “shall mean information, including a formula, pattern, compilation, program, device method, technique or process, that:

- (a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and
- (b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

6 Del. C. § 2001(2).

102. Under the DUTSA, “[a]ctual or threatened misappropriation may be enjoined.” Del. Code Ann. tit. 6, § 2002. Furthermore, if willful and malicious misappropriation exists, the court may award reasonable attorney’s fees to the prevailing party.” Del. Code Ann. tit. 6, § 2004.

103. The federal Defend Trade Secrets Act (“DTSA”) creates a private cause of action for the owner of a trade secret “if the trade secret is related to a product or service used in, or intended for use in, interstate or foreign commerce.” 18 U.S.C. § 1836(b)(1).

104. A “trade secret” under the DTSA includes “all forms and types” of information that derive value from being secret and that the owner took reasonable measures to keep secret. 18 U.S.C. § 1839(3)(A)(B).

105. “Misappropriation” under the DTSA consists of (1) “acquisition of a trade secret” by a person who knows or should know the secret was improperly acquired, or (2) “disclosure or use of a trade secret of another without express or implied consent.” 18 U.S.C. § 1839(5)(A)(B).

106. The DTSA does not foreclose a use-based theory simply because the trade secret being used was misappropriated before the DTSA's enactment. *Syntel Sterling Best Shores Mauritius Ltd v. Trizetto Grp., Inc.*, 2016 WL 5338550, at *6 (S.D.N.Y. Sept. 23, 2016) (holding that allegations of a continuing use were adequate to state a claim under the DTSA). In fact, "Congress omitted from DTSA the following language from Section 11 of the [Uniform Trade Secret Act]: 'With respect to a continuing misappropriation that began prior to the effective date, the [Act] also does not apply to the continuing misappropriation that occurs after the effective date.'" *Adams Arms, LLC v. Unified Weapon Sys., Inc.*, 16-1503, 2016 WL 5391394, at *6 (M.D. Fla. Sept. 27, 2016).

107. "A trade secret can be the combination of steps into a process . . . even if all the component steps are known, so long as it is a unique process which is not known in the industry." *Elenza, Inc. v. Alcon Labs. Holding Corp.*, 183 A.3d 717, 721 (Del. 2018). *See also Imperial Chem. Indus. Ltd. v. Nat'l Distillers & Chem. Corp.*, 342 F.2d 737, 740 (2d Cir. 1965); *Servo Corp. of Am. v. Gen. Elec. Co.*, 393 F.2d 551, 555 (4th Cir. 1968) ("We do not believe that . . . General Electric should be allowed to avoid the consequences of the breach of confidence by piecing together in retrospect bits of information which had been disclosed in a variety of places and which as a combination were not clearly a matter of public knowledge."); *Rohm & Haas Co. v. Adco Chem. Co.*, 689 F.2d 424, 433 (3d Cir. 1982).

108. The "speed with which" a trade secret defendant supposedly independently discovered a trade secret supports an inference that the secret was misappropriated. *Dickerman Assocs., Inc. v. Tiverton Bottled Gas Co.*, 594 F. Supp. 30, 36 (D. Mass. 1984) ("Based upon the similarities of the two programs detailed earlier, DeYoung's notes, the availability of the JMS

manual to Vaill and DeYoung, their use of it, and the speed with which they assembled their system, the conclusion that they copied substantial portions of JMS is inescapable.”).

109. In a trade secret action, the plaintiff bears the burden of proving both the existence and misappropriation of a trade secret. *Beard Research, Inc. v. Kates*, 8 A.3d 573, 590 (Del. Ch. 2010).

IV. OLAPLEX’S CLAIM FOR BREACH OF CONTRACT

1. Issues of Law to be Litigated

110. Whether Olaplex has proven by a preponderance of the evidence that L’Oréal and/or its Representatives (as defined in the NDAs) breached contractual obligations to Olaplex under the parties’ May 15 and 23, 2015 Non-Disclosure Agreements with Liqwd, Inc. and Olaplex LLC (collectively, “the NDAs”).

111. Whether Olaplex has proven by a preponderance of the evidence that it has suffered damage as a result of L’Oréal’s and/or its Representatives’ (as defined in the NDAs) breach of contractual obligations to Olaplex pursuant to the NDAs.

2. Legal Authority

112. A claim for breach of contract under Delaware law requires a contractual obligation, a breach of that obligation, and injury to the plaintiff caused by the defendant’s breach of the contractual obligation. *See H-M Wexford LLC v. Encorp, Inc.*, 832 A.2d 129, 140 (Del. Ch. 2003); *HSMY, Inc. v. Getty Petroleum Marketing, Inc.*, 417 F. Supp. 2d 617, 620 (D. Del. 2006).

113. Delaware law imposes an implied duty of good faith and fair dealing into every contract. *Templeton, v. EmCare, Inc.*, 868 F. Supp. 2d 333 (D. Del. 2012). Indeed, the implied

duty mandates that “a party in a contractual relationship to refrain from arbitrary or unreasonable conduct which has the effect of preventing the other party to the contract from receiving the fruits” of the contract. *Id.*

114. The party asserting breach of contract bears the burden of proof on each of these elements. *See Bohler-Uddeholm Am., Inc. v. Ellwood Group, Inc.*, 247 F.3d 79, 102 (“[I]t is hornbook law that (when no fiduciary relationship exists) the party alleging a breach of contract bears the burden of proving the elements of a breach of contract.”); *Loureiro v. Copeland*, No. 04C-12-014, 2006 WL 2685582, at *1 (Del. Super. Ct. Aug. 21, 2006) (“The Plaintiff bears the burden of proving its breach of contract by a preponderance of the evidence.”). A party asserting an affirmative defense carries the burden of proof with respect to that defense. *See, e.g., Cypres Assocs., LLC v. Sunnyside Cogeneration Assocs. Project*, No. Civ. A. 1607-N, 2007 WL 148754, at * 18 (Del. Ch. Jan. 17 2007) (“[W]hen a contract provision ... is invoked defensively, ... it takes the form of an affirmative defense, and the burden of proof is on the defendant.”).

115. In a breach of contract case, a plaintiff’s damages are “generally measured by what is necessary to put [plaintiff] in as good a position as [he] would have occupied had there been full performance of the contract.” *Haft v. Dart Group Corp.*, 877 F. Supp. 896, 901 (D. Del. 1995).

V. L’OREAL’S COUNTERCLAIM FOR FALSE ADVERTISING

A. Issues of Law to be Litigated

116. Whether L’Oreal has proven that Olaplex made a false or misleading description or representation of fact, which misrepresents the nature, characteristics, qualities, or geographic origin of its or L’Oreal’s goods or services.

117. Whether L’Oreal has proven that the specific statements identified by L’Oreal as alleged false advertising constitute “commercial advertising” within the meaning of 15 U.S.C. § 1125(a)(1)(B).

118. Whether L’Oreal has proven that the specific challenged statements actually deceive or at least have a tendency to deceive a substantial portion of the intended audience.

119. Whether L’Oreal has proven that any alleged deception is material in that it is likely to influence purchasing decisions.

120. Whether L’Oreal has proven that it suffered economic or reputational injury flowing directly from the specific misrepresentations it alleges.

121. Whether L’Oreal has proven that it is entitled to injunctive relief prohibiting Olaplex from engaging in false advertising.

122. Whether L’Oreal has proven that it is entitled to injunctive relief mandating that Olaplex issue corrective advertising.

B. Legal Authority

123. Under 15 U.S.C. § 1125(a): “Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any . . . false or misleading description of fact, or false or misleading representation of fact, which . . . (B) in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person’s goods, services, or commercial activities . . . shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.”

124. The Lanham Act requires “false or misleading representation[s] of fact.” 15 U.S.C. § 1125(a)(1). Thus, “only statements of fact capable of being proven false are actionable,” whereas opinions and statements marked by “broad, vague and commendatory language” are not. *Robert Bosch LLC v. Pylon Mfg. Corp.*, 632 F. Supp. 2d 362, 365 (D. Del. 2009).

125. Section 43(a) does not impose an affirmative duty of disclosure. *Lokai Holdings LLC v. Twin Tiger USA LLC*, 306 F. Supp. 3d 629, 640 (S.D.N.Y. 2018) (“As courts have routinely held, the Lanham Act does not impose an affirmative duty of disclosure.”) (collecting cases). The Act covers affirmative, false representations, not failures to disclose. *See U.S. Healthcare.*, 898 F.2d at 921 (“[F]ailure to disclose facts is not actionable.”); *FMC Corp. v. Summit Agro USA, LLC*, 2014 WL 6627727, at *6 (D. Del. Nov. 14, 2014) (“[T]he language of Section 43(a) has been read by many courts to impose no affirmative duty of disclosure; instead, its language ... appears to require that a defendant make an actionable affirmative statement in order to have violated the statute.”).

126. The Lanham Act borrows relevant limitations periods from state law. *Beauty Time, Inc. v. VU Skin Sys., Inc.*, 118 F.3d 140, 143 (3d Cir. 1997). Here, the period is three years. Del. Code. Ann. § 8106 (1994) (fraud claims); *Joint Stock Scy v. UDV N. Am., Inc.*, 53 F. Supp. 2d 692 (D. Del. 1999).

127. To have standing to assert a Lanham Act claim, the plaintiff “must show economic or reputational injury flowing directly from the deception wrought by the defendant’s advertising.” *Lexmark Int’l, Inc. v. Static Ctrl Components, Inc.*, 572 U.S. 118, 133 (2014). This “occurs when deception of consumers causes them to withhold trade from the plaintiff.” *Id.*; *see*

also Congoo, LLC v. Revcontent LLC, 2017 WL 5076397 (D.N.J. Nov. 3, 2017). This causal link must be established between the “specific misrepresentations” alleged by the plaintiff and the plaintiff’s alleged injury. *Larry Pitt & Associates v. Lundy Law LLP*, 294 F. Supp. 3d 329, 341 (E.D. Pa. 2018). To the extent that non-binding authority previously recognized a rebuttable presumption of causation upon proof of intent to deceive, those authorities did not survive the Supreme Court’s *Lexmark* decision. See *The Knit With v. Knitting Fever, Inc.*, 625 F. App’x 27, 40-41 (3d Cir. 2015).

128. To be literally false (including literal falsity by necessary implication) a statement must either be unambiguous in context, or its equally plausible meanings must all be literally false. *Castrol Inc. v. Pennzoil Co.*, 987 F.2d 939, 945-48 (3d Cir. 1993); *Novartis Consumer Health, Inc. v. Johnson & Johnson-Merck Consumer Pharmas. Co.*, 290 F.3d 578, 586 (3d Cir. 2002). A statement which is virtually or substantially true is not literally false. *QVC, Inc. v. Your Vitamins, Inc.*, 714 F. Supp. 2d 291 (D. Del. 2010). Literally false statements are both explicit and false. *Novartis*, 290 F.3d at 586. A “literal” falsehood is bald-faced, egregious, undeniable, over the top; it is a patently false statement that means what it says to any linguistically competent person. *Avis Rent A Car System, Inc. v. Hertz Corp.*, 782 F.2d 381, 385-86 (2d Cir. 1986); *Schering-Plough Healthcare Products, Inc. v. Schwarz Pharma, Inc.*, 586 F.3d 500, 512-13 (7th Cir. 2009). A statement is not false on its face (literally false) merely because it is less specific than possible. *Cicle Francesco Moser, S.R.L. v. Cannondale USA, Inc.*, 12 F. Supp. 2d 320 (S.D.N.Y. 1998).

129. An advertising claim is literally false “by necessary implication” when (though not expressly stated) the unambiguous, false statement of fact would be recognized by the audience as readily as if it had been expressly stated. *Johnson & Johnson-Merck Consumer*

Pharmas. Co. v. Rhone-Poulenc Rorer Pharmas., Inc., 19 F.3d 125, 129 (3d Cir. 1994). Thus, an advertisement is literally false even though no “combination of words between two punctuation signals” is untrue, if the clear meaning of the statement, considered in context, is false. *Time Warner Cable, Inc. v. DIRECTV, Inc.*, 497 F.3d 144, 154-55 (2d Cir. 2007). The greater an audience's need to integrate components of an advertisement in order to conclude that the advertisement as a whole has made a specific, false, factual statement, the less likely that advertisement is to be false literally, even by necessary implication. *Groupe SEB USA, Inc. v. Euro-Pro Operating LLC*, 774 F.3d 192, 198-99 (3d Cir. 2014). The likelihood becomes even lower when the audience is required to integrate information not included in the advertisement itself. *Design Resources, Inc. v. Leather Indus. of Am.*, 789 F.3d 495 (4th Cir. 2015).

130. To establish liability for claims that are not literally false, the plaintiff bears “the burden of proving actual deception by a preponderance of the evidence [and] cannot obtain relief by arguing how consumers could react; it must show how consumers actually do react.” *Id.* (quoting *Sandoz Pharm. Corp. v. Richardson-Vicks, Inc.*, 902 F.2d 222, 228-29 (3d Cir. 1990)). This often requires a consumer survey or other objective, verifiable evidence, because the “factfinder must determine whether the public was, in fact, misled.” *Id.* (citing *Johnson & Johnson Merck Cons. Pharms. Co. v. Rhone-Poulenc Rorer Pharms., Inc.*, 19 F.3d 125, 129 (3d Cir. 1994)).

131. Under 15 U.S.C. § 1117(a): “ In assessing profits the plaintiff shall be required to prove defendant’s sales only; defendant must prove all elements of cost or deduction claimed.” This burden shift relates only to accounting for profits; it does nothing to shift the burden for establishing liability. *Snac Lite, LLC v. Nuts 'N More, LLC*, 2016 WL 6778268, at *14 (N.D.

Ala. Nov. 16, 2016) (“[A] plaintiff is not entitled to disgorgement until the plaintiff has proved causation.”).

VI. L’OREAL’S COUNTERCLAIM FOR FRAUD BY FALSE PROMISE

A. Issues of Law to be Litigated

132. Whether L’Oreal has proven that Olaplex made a false representation of fact.

133. Whether L’Oreal has proven that Olaplex knew or believed that the representation was false.

134. Whether L’Oreal has proven that Olaplex intended to induce L’Oreal to act or to refrain from acting.

135. Whether L’Oreal has proven that it justifiably relied on the representation.

136. Whether L’Oreal has proven that it suffered damages resulting from such reliance.

B. Legal Authority

137. To prevail on a fraud by false promise claim, a plaintiff must establish (1) a false representation, usually one of fact, made by the defendant; (2) defendant’s knowledge or belief that the representation was false; (3) intent to induce the plaintiff to act or to refrain from acting; (4) plaintiff’s justifiable reliance on the representation; and (5) damage resulting from such reliance. *Gaffin v. Teledyne, Inc.*, 611 A.2d 467, 472 (Del. 1992); *Tillman v. Pepsi Bottling Grp., Inc.*, 538 F. Supp. 2d 754, 783 (D. Del. 2008).

138. “[T]he failure to fulfill a promise to perform future acts is not ground for a fraud action unless there existed an intent not to perform at the time the promise was made.” *Cato Capital LLC v. Hemispherx Biopharma, Inc.*, 70 F. Supp. 3d 607, 627 (D. Del. 2014). “[I]f a

speaker intended when she made a promise to perform it, but sometime later reneg[ed], no action for fraud arises.” *In re PMTS Liquidating Corp.*, 452 B.R. 498, 511 (Bankr. D. Del. 2011).

VII. L’OREAL’S COUNTERCLAIMS FOR BREACH OF CONTRACT

A. Issues of Law to be Litigated

139. Whether L’Oréal has proven that Olaplex disclosed confidential information in breach of the Non-Disclosure Agreement attached as Exhibit C to Olaplex’s Third Amended Complaint (D.I. 636) or the the Non-Disclosure Agreement attached as Exhibit A to L’Oréal’s Amended Counterclaims (D.I. 650).

140. Whether L’Oréal has proven that it was harmed by Olaplex’s alleged disclosure of confidential information in breach of the Non-Disclosure Agreement attached as Exhibit C to Olaplex’s Third Amended Complaint (D.I. 636) or the the Non-Disclosure Agreement attached as Exhibit A to L’Oréal’s Amended Counterclaims (D.I. 650).

B. Legal Authorities

141. “Under Delaware law, the elements of a breach of contract claim are: (1) a contractual obligation; (2) a breach of that obligation; and (3) resulting damages.” *Interim Healthcare, Inc. v. Spherion Corp.*, 884 A.2d 513, 548 (Del. Sup. Ct. 2005).

142. The First Amendment guarantees the right “to petition the Government for a redress of grievances.” U.S. Const. amend. I. Thus, litigants are immune from civil liability for petitioning the government, including through filing a lawsuit. *Octane Fitness, LLC v. ICON Health & Fitness, Inc.*, 572 U.S. 545, 555-56 (2014) (citing *E.R.R Presidents Conference v. Noerr Motor Freight, Inc.*, 365 U.S. 127 (1961) and *United Mine Workers v. Pennington*, 381 U.S. 657 (1965)) (referred to as the “*Noerr-Pennington*” doctrine). “[P]ress conferences” and

“other statements to news outlets” are within the protection of *Noerr-Pennington* when the statements are “part of [a] publicity campaign to influence government action.” *Feld Entm’t Inc. v. Am. Soc’y for the Prevention of Cruelty to Animals*, 873 F. Supp. 2d 288, 307-08 (D.D.C. 2012).

VIII. L’OREAL’S COUNTERCLAIM FOR FALSE PATENT MARKING

A. Issues of Law to be Litigated

143. Whether L’Oreal has proven that Olaplex falsely marked an unpatented article as patented under a proper construction of U.S. Patent No. 9,095,518 (“the ‘518 Patent”).

144. Whether L’Oreal has proven that it suffered a competitive injury as a result of the false marking.

B. Legal Authorities

145. Under 35 U.S.C. § 292(a): “Whoever marks upon, or affixes to, or uses in advertising in connection with any unpatented article, the word “patent” or any word or number importing that the same is patented, for the purpose of deceiving the public . . . [s]hall be fined” Under § 292(b): “A person who has suffered a competitive injury as a result of a violation of this section may file a civil action in a district court of the United States for recovery of damages adequate to compensate for the injury.”

146. “Section 292 is penal in nature and, therefore, must be strictly construed.” *U.S. Gypsum Co. v. Pacific Award Metals, Inc.*, 438 F. Supp. 2d 1101, 1105 n.3 (N.D. Cal. 2006).

147. “To establish a claim for false marking under this section, the claimant must demonstrate two elements: (1) that the defendant marked an unpatented article; and (2) that the defendant intended to deceive the public. . . . Under the America Invents Act [], the claimant

must also show that it suffered a competitive injury as a result of the false marking.” *Cot’n Wash, Inc. v. Henkel Corp.*, 56 F. Supp. 3d 613, 622-23 (D. Del. 2014) (internal citations and quotation marks omitted).

148. “When the statute refers to an ‘unpatented article’ the statute means that the article in question is not covered by at least one claim of each patent with which the article is marked. Thus, in order to determine if an article is ‘unpatented’ for purposes of section 292, it must be first determined whether the claims of a patent cover the article in question. To make that determination, the claim in question must be interpreted to ascertain its correct scope, and then it must be ascertained if the claim reads on the article in question.” *Clontech Labs., Inc. v. Invitrogen Corp.*, 406 F.3d 1347, 1352 (Fed. Cir. 2005).

149. “[T]he bar for proving deceptive intent in false marking cases is particularly high, requiring that [claimants] show a purpose of deceit, rather than simply knowledge that a statement is false.” *Id.* at 623 (quoting *In re BP Lubricants USA Inc.*, 637 F.3d 1307, 1313 (Fed. Cir. 2011)).

IX. L’OREAL’S COUNTERCLAIMS FOR DECLARATORY JUDGMENT OF NON-INFRINGEMENT

A. Issues of Law to be Litigated

150. *See supra*, Section XLII(A)(1).

B. Legal Authority

151. *See supra*, Section XLII(A)(2).

X. L'OREAL'S COUNTERCLAIMS FOR DECLARATORY JUDGMENT OF INVALIDITY

A. Issues of Law to be Litigated

152. Whether L'Oréal has proven that it is entitled to a declaratory judgment that claims 1 and 10 of the '419 Patent are invalid.

153. Whether L'Oréal has proven that it is entitled to a declaratory judgment that claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent are invalid.

B. Legal Authority

1. Anticipation

154. Under 35 U.S.C. § 102(a): “A person shall be entitled to a patent unless—(1) the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or (2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention.”

155. Although § 102 refers to “the invention” generally, the anticipation inquiry proceeds on a claim-by-claim basis. *Orion IP, LLC v. Hyundai Motor Am.*, 605 F.3d 967, 974 (Fed. Cir. 2010). “[L]ack of novelty (often called ‘anticipation’) requires that the same invention, including each element and limitation of the claims, was known or used by others before it was invented by the patentee.” *Verve, LLC v. Crane Cams, Inc.*, 311 F.3d 1116, 1120 (Fed. Cir. 2002) (citation omitted). A single reference must describe the claimed invention with sufficient precision and detail to establish that the subject matter existed in the prior art. *Id.*

156. “[A] patent to an apparatus does not necessarily prevent a subsequent inventor from obtaining a patent on a new method of using the apparatus.” *Perricone v. Medicis Pharma. Corp.*, 432 F.3d 1368, 1378 (Fed. Cir. 2005) (citation omitted).

2. Obviousness

157. Under 35 U.S.C. § 103: “A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.”

158. “A determination of whether a patent claim is invalid as obvious under § 103 requires consideration of all four *Graham* factors, and it is error to reach a conclusion of obviousness until all those factors are considered.” *Apple Inc. v. Samsung Electronics Co., Ltd.*, 839 F.3d 1034, 1048 (Fed. Cir. 2016) (en banc); *see also Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966). Thus, “[a]n obviousness determination[] is based on underlying factual inquiries including: (1) the scope and content of the prior art; (2) the level of ordinary skill in the art; (3) the differences between the claimed invention and the prior art; and (4) objective evidence of nonobviousness.” *Eli Lilly and Co. v. Teva Pharms. USA, Inc.*, 619 F.3d 1329, 1336 (Fed. Cir. 2010). “Objective indicia of nonobviousness **must** be considered in every case where present.” *Apple Inc.*, 839 F.3d at 1048 (emphasis added); *see also Transocean Offshore Deepwater Drilling, Inc. v. Maersk Contractors USA, Inc.*, 617 F.3d 1296, 1305 (Fed. Cir. 2010) (“We hold that the district court erred by failing to consider Transocean’s objective evidence of nonobviousness. Our case law is clear that this type of evidence must be considered in

evaluating the obviousness of a claimed invention.”). Secondary considerations include among other things “unexpected results, expert skepticism, copying, commercial success, praise by others (even from the accused infringer []), failure by others, and long-felt need.” *Mintz v. Dietz & Watson, Inc.*, 679 F.3d 1372, 1379 (Fed. Cir. 2002).

159. “A party seeking to invalidate a patent as obvious must demonstrate by clear and convincing evidence that a skilled artisan would have been motivated to combine the teachings of the prior art references to achieve the claimed invention, and that the skilled artisan would have had a reasonable expectation of success from doing so.” *Bristol-Myers Squibb Co. v. Teva Pharms. USA, Inc.*, 752 F.3d 967, 973 (Fed. Cir. 2014) (citation omitted).

3. Written Description

160. Under 35 U.S.C. § 112(a): “The specification shall contain a written description of the invention, and of the manner and process of making and using it” “[T]he test for sufficiency is whether the disclosure of the application relied upon reasonably conveys to those skilled in the art that the inventor had possession of the claimed subject matter as of the filing date.” *Cisco Systems, Inc. v. Cirrex Systems, LLC*, 856 F.3d 997, 1007 (Fed. Cir. 2017) (citation omitted). “[T]he level of detail required to satisfy the written description requirement varies depending on the nature and scope of the claims and on the complexity and predictability of the relevant technology.” *Id.* (citation omitted).

161. Because “[t]his test requires an objective inquiry into the four corners of the specification from the perspective of a person of ordinary skill in the art[,] in some instances, a patentee can rely on information that is well-known in the art to satisfy written description.” *Streck, Inc. v. Research & Diagnostic Systems, Inc.*, 665 F.3d 1269, 1285 (Fed. Cir. 2012).

4. **Enablement**

162. Under 35 U.S.C. § 112(a), the written description must be “in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same.” “To prove that a claim is invalid for lack of enablement, a challenger must show by clear and convincing evidence that a person of ordinary skill in the art would not be able to practice the claimed invention without ‘undue experimentation.’” *Allergan, Inc. v. Sandoz Inc.*, 796 F.3d 1293, 1309 (Fed. Cir. 2015).

163. “The boundary between a teaching sufficient to enable a person of ordinary skill in the field, and the need for undue experimentation, varies with the complexity of the science. Knowledge of the prior art is presumed, as well as skill in the field of the invention. The specification need not recite textbook science, but it must be more than an invitation for further research.” *Storer v. Clark*, 860 F.3d 1340, 1350 (Fed. Cir. 2017) (citing *Genentech, Inc. v. Novo Nordisk A/S*, 108 F.3d 1361, 1366 (Fed. Cir. 1997)).

164. “The following factors may be considered when determining if a disclosure requires undue experimentation: (1) the quantity of experimentation necessary, (2) the amount of direction or guidance presented, (3) the presence or absence of working examples, (4) the nature of the invention, (5) the state of the prior art, (6) the relative skill of those in the art, (7) the predictability or unpredictability of the art, and (8) the breadth of the claims. These factors while illustrative are not mandatory.” *Cephalon, Inc. v. Watson Pharms., Inc.*, 707 F.3d 1330, 1336 (Fed. Cir. 2013) (citations omitted).

165. “This is not to say that the specification must expressly spell out every possible iteration of every claim. For instance, a specification need not disclose what is well known in

the art.” *Trustees of Boston Univ. v. Everlight Electronics Co., Ltd.*, 896 F.3d 1357, 136 (Fed. Cir. 2018) (citation omitted). “[T]he artisan’s knowledge of the prior art and routine experimentation can often fill gaps, interpolate between embodiments, and perhaps even extrapolate beyond the disclosed embodiments, depending upon the predictability of the art.” *Id.*

166. “[E]fficacy data are generally not required in a patent application. Only a sufficient description enabling a person of ordinary skill in the art to carry out an invention is needed.” *Allergan*, 796 F.3d at 1310. “[T]he effort it took the inventor to reduce the invention to practice does not conclusively show a lack of enablement. Title 35 does not require that a patent disclosure enable one of ordinary skill in the art to make and use a perfected, commercially viable embodiment, so the time it took to make a commercial-grade embodiment is not, itself, determinative of non-enablement.” *Vasudevan Software, Inc. v. MicroStrategy, Inc.*, 782 F.3d 671, 684 (Fed. Cir. 2015).

XI. AFFIRMATIVE DEFENSES¹

A. Statute of Limitations

167. The Lanham Act borrows relevant limitations periods from state law. *Beauty Time, Inc. v. VU Skin Sys., Inc.*, 118 F.3d 140, 143 (3d Cir. 1997). Here, the period is three years. Del. Code. Ann. § 8106 (1994) (fraud claims); *Joint Stock Scy. v. UDV N. Am., Inc.*, 53 F. Supp. 2d 692 (D. Del. 1999).

¹ Because Olaplex has not yet answered L’Oreal’s Amended Counter-Complaint, Olaplex reserves the right to supplement or modify the following section upon answering. Further, Olaplex has not been permitted to take discovery of L’Oreal’s counterclaims, and thus additionally reserves the right to supplement or modify the following section in response to the proof offered by L’Oreal at trial.

B. Laches

168. “The defense of laches is defined as the neglect or delay in bringing suit to remedy an alleged wrong, which taken together with lapse of time and other circumstances, causes prejudice to the adverse party and operates as an equitable bar.” *ART+COM Innovationpool GmbH v. Google Inc.*, 155 F. Supp. 3d 489, 504 (D. Del. 2016). “Laches is an equitable doctrine . . . and the decision of whether to recognize it as a defense in a particular case is left to the discretion of the lower courts.” *In re Energy Future Holdings Corp.*, 904 F.3d 298, 310 (3d Cir. 2018).

C. Unclean Hands

169. “The doctrine of unclean hands applies when (1) a party seeking affirmative relief (2) is guilty of conduct involving fraud, deceit, unconscionability, or bad faith (3) directly related to the matter in issue (4) that injures the other party (5) and affects the balance of equities between the litigants.” *Sun Microsystems, Inc. v. Versata Enterprises, Inc.*, 630 F. Supp. 2d 395, 410 (D. Del. 2009) (internal quotation marks and citation omitted). “The inequitable conduct alleged “must have an immediate and necessary relationship to the equity which [the plaintiff] seeks to obtain in the matter in litigation.” *Id.* (quoting *Blanchette v. Providence & Worcester Co.*, 428 F. Supp. 347, 357 (D.Del.1977)).

D. Spoliation of Evidence

170. “Spoliation occurs where: the evidence was in the party’s control; the evidence is relevant to the claims or defenses in the case; there has been actual suppression or withholding of evidence; and, the duty to preserve the evidence was reasonably foreseeable to the party.” *Bull v. United Parcel Service, Inc.*, 665 F.3d 68, 73 (3d Cir. 2012).

171. “The United States Court of Appeals for the Third Circuit has applied three (3) key considerations to determine whether a sanction for spoliation of evidence is appropriate. The considerations are: 1) the degree of fault of the party who altered or destroyed the evidence; 2) the degree of prejudice suffered by the opposing party; and 3) whether there is a lesser sanction that will avoid substantial unfairness to the opposing party and, where the offending party is seriously at fault, will serve to deter such conduct by others in the future. When appropriate, a court may impose any potential sanction including: 1) dismissal of a claim or granting judgment in favor of a prejudiced party; 2) suppression of evidence; 3) an adverse inference, referred to as the spoliation inference; 4) fines; and 5) attorneys’ fees and costs.” *Ogin v. Ahmed*, 563 F. Supp. 2d 539, 545 (M.D. Pa. 2008) (citation omitted).

E. Noerr-Pennington Privilege

172. The First Amendment guarantees the right “to petition the Government for a redress of grievances.” U.S. Const. amend. I. Thus, litigants are immune from civil liability for petitioning the government, including through filing a lawsuit. *Octane Fitness, LLC v. ICON Health & Fitness, Inc.*, 572 U.S. 545, 555-56 (2014) (citing *E.R.R Presidents Conference v. Noerr Motor Freight, Inc.*, 365 U.S. 127 (1961) and *United Mine Workers v. Pennington*, 381 U.S. 657 (1965)) (referred to as the “Noerr-Pennington” doctrine). “[P]ress conferences” and “other statements to news outlets” are within the protection of *Noerr-Pennington* when the statements are “part of [a] publicity campaign to influence government action.” *Feld Entm’t Inc. v. Am. Soc’y for the Prevention of Cruelty to Animals*, 873 F. Supp. 2d 288, 307-08 (D.D.C. 2012).

F. Material Breach

173. Delaware law supports the principle that ‘a party [to a contract] is excused from performance ... if the other party is in material breach’ of his contractual obligations.’” *In re Broadstripe, LLC*, 435 B.R. 245, 257 (Bankr. D. Del. 2010) (quoting *BioLife Solutions, Inc. v. Endocare, Inc.*, 838 A.2d 268, 278 (Del. Ch. 2003)).

G. Failure to Mitigate Damages

174. “The duty of an aggrieved party to mitigate its damages upon breach by a counter-party is a well-established principle of contract law. The amount recoverable by the damaged party must be reduced by the amount of losses which could have been avoided by that party’s reasonable efforts to avoid them.” *In re Sportsman’s Warehouse, Inc.*, 457 B.R. 372, 401 (Bankr. D. Del. 2011) (citing RESTATEMENT (SECOND) OF CONTRACTS § 350(1) (1979)).

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,

Plaintiffs,

V.

L'ORÉAL USA, INC., L'ORÉAL USA
PRODUCTS, INC., L'ORÉAL USA
S/D, INC., and REDKEN 5TH AVENUE
NYC, L.L.C.,

Defendants.

C. A. No. 1:17-cv-00014-JFB-SRF

**CONFIDENTIAL –
FILED UNDER SEAL**

EXHIBIT 5:
DEFENDANTS' STATEMENT OF ISSUES OF LAW TO BE LITIGATED AT TRIAL

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Pursuant to Local Rule 16.3(c)(5), Defendants and Counterclaimants L'Oréal USA, Inc., L'Oréal USA Products, Inc., L'Oréal USA S/D, Inc. and Redken 5th Avenue NYC, LLC (collectively "L'Oréal USA") hereby provide this Statement of Issues of Law to be Litigated. The following statement is based on the parties' pleadings, documentary and testimony evidence, expert reports, and on L'Oréal USA's current understanding of Olaplex's claims as they have evolved and changed throughout the case. To the extent that L'Oréal USA's Statement of Issues of Fact that Remain to be Litigated set forth in Exhibit 3 contains issues of law, those issues are incorporated herein by reference. Should the Court determine that any issue identified below is more appropriately considered an issue of fact, L'Oréal USA incorporates such issue by reference into Exhibit 3.

I. NON-INFRINGEMENT

A. Issues of Law to be Litigated

1. Whether Olaplex LLC has proven it has standing to assert claims of infringement of the '419 patent.
2. Whether Liqwd Inc. has proven it has standing to assert claims of infringement of the '419 Patent.
3. Whether Olaplex has proven that L'Oréal USA, Inc. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.
4. Whether Olaplex has proven that L'Oréal USA, Inc. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.
5. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by L'Oréal USA, Inc.

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6. Whether Olaplex has proven that L'Oréal USA Products, Inc. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

7. Whether Olaplex has proven that L'Oréal USA Products, Inc. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

8. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by L'Oréal USA Products, Inc.

9. Whether Olaplex has proven that L'Oréal USA S/D, Inc. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

10. Whether Olaplex has proven that L'Oréal USA S/D, Inc. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

11. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by L'Oréal USA S/D, Inc.

12. Whether Olaplex has proven that Redken 5th Avenue NYC, L.L.C. directly infringes the Asserted Claims 1 and 10 of the '419 Patent.

13. Whether Olaplex has proven that Redken 5th Avenue NYC, L.L.C. induces infringement of the Asserted Claims 1 and 10 of the '419 Patent.

14. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1 and 10 of the '419 Patent by Redken 5th Avenue NYC, L.L.C.

15. Whether Olaplex LLC has proven prove it has standing to assert claims of infringement of the '954 Patent.

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16. Whether Liqwd Inc. has proven it has standing to assert claims of infringement of the '954 Patent.

17. Whether Olaplex has proven that L'Oréal USA, Inc. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

18. Whether Olaplex has proven that L'Oréal USA, Inc. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

19. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by L'Oréal USA, Inc.

20. Whether Olaplex has proven that L'Oréal USA Products, Inc. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

21. Whether Olaplex has proven that L'Oréal USA Products, Inc. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

22. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by L'Oréal USA Products, Inc.

23. Whether Olaplex has proven that L'Oréal USA S/D, Inc. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

24. Whether Olaplex has proven that L'Oréal USA S/D, Inc. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

25. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by L'Oréal USA S/D, Inc.

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26. Whether Olaplex has proven that Redken 5th Avenue NYC, L.L.C. directly infringes the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

27. Whether Olaplex has proven that Redken 5th Avenue NYC, L.L.C. induces infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

28. Whether Olaplex has proven that there was willful infringement of the Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent by Redken 5th Avenue NYC, L.L.C.

B. Legal Authority

1. Standing

29. The Federal Circuit has held that “‘ordinarily’ the ‘party holding legal title to the patent’ has standing to bring an infringement claim.” *BASF Plant Sci., LP v. Nuseed Americas Inc.*, No. CV 17-421, 2017 WL 3573811, at *4 (D. Del. Aug. 17, 2017) (quoting *Propat Int’l Corp. v. Rpost, Inc.*, 473 F.3d 1187, 1189 (Fed. Cir. 2007)). However, “[s]tanding becomes more complicated where the patent owner licensed some or all of its patent rights to another party.” *Id.* An “exclusive licensee has sole standing to sue those suspected of infringing the patents’ claims.” *Alfred E. Mann Found. For Sci. Research v. Cochlear Corp.*, 604 F.3d 1354, 1359 (Fed. Cir. 2010). “[W]here an exclusive license transfers less than all substantial rights in the patents to the exclusive licensee, the exclusive licensee may still be permitted to bring suit against infringers, but the patent owner is an indispensable party who must be joined.” *Id.* (quotations and citations omitted). “[O]nly the party who holds all legal rights to the patent as patentee or assignee of all patent rights can sue in their own name.” *IOENGINE LLC v. Interactive Media Corp.*, No. CV 14-1571-GMS, 2017 WL 39563, at *2 (D. Del. Jan. 4, 2017).

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30. “Although an agreement to assign in the future inventions not yet developed may vest the promisee with equitable rights in those inventions once made, such an agreement does not by itself vest legal title to patents on the inventions in the promise.” *Arachnid, Inc. v. Merit Indus., Inc.*, 939 F.2d 1574, 1581 (Fed. Cir. 1991). An entity “cannot base an ownership claim” on an assignment that covers inventions related to but different from those embodied in a patent-at-issue. *Univ. of W. Virginia, Bd. of Trustees v. VanVoorhies*, 342 F.3d 1290, 1296 (Fed. Cir. 2003).

2. Direct Infringement

31. Direct infringement requires a party to perform or use each and every step or element/requirement of a claimed method or product. 35 U.S.C. § 271(a); *Wartner-Jenkinson Corp. v. Hilton Davis Corp.*, 520 U.S. 17, 29 (1997). “The patentee bears the burden of proving infringement by a preponderance of the evidence.” *CVI/Beta Ventures, Inc. v. Tura LP*, 112 F.3d 1146, 1161 (Fed. Cir. 1997). Infringement is a question of fact. *See, e.g., EMD Millipore Corp. v. AllPure Techs., Inc.*, 768 F.3d 1196, 1200-01 (Fed. Cir. 2014).

32. Direct infringement of a method claim requires proof that each and every step of the claimed method is actually performed. *Limelight Networks, Inc. v. Akamai Tech., Inc.*, 134 S. Ct. 2111, 2117 (2014); *see also ePlus Inc. v. Lawson Software, Inc.*, 700 F.3d 509, 521 (Fed. Cir. 2012) (“ePlus’s brief refers to the capability of the accused system, not an actual act of infringement.”); *Cardiac Pacemakers, Inc. v. St. Jude Med., Inc.*, 576 F.3d 1348, 1358-59 (Fed. Cir. 2009) (holding damages for infringement of a method claim are limited to “devices that were shown to infringe” that method claim when the accused device could be used in either an infringing or non-infringing manner). It also requires that each method step be “performed by or

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attributable to a single entity.” *Akamai Techs., Inc. v. Limelight Networks, Inc.*, 797 F.3d 1020, 1022 (Fed. Cir. 2015).

33. “A patent infringement analysis requires two steps. First, the claim must be properly construed to determine its scope and meaning. Second, the claim as properly construed must be compared to the accused device or process.” *Hilgraeve Corp. v. Symantec Corp.*, 265 F.3d 1336, 1341 (Fed. Cir. 2001) (citing *Gentry Gallery, Inc. v. Berkline Corp.*, 134 F.3d 1473, 1476 (Fed. Cir. 1998)). Direct infringement is either literal or under the doctrine of equivalents. *Dynacore Holdings Corp. v. U.S. Philips Corp.*, 363 F.3d 1263, 1272 (Fed. Cir. 2004).

3. Literal Infringement

34. To literally infringe a patent claim, an accused product or process must have or perform every limitation of the claim exactly as recited in the claim—i.e., the “properly construed claim reads on the device exactly.” *Engel Indus., Inc. v. Lockformer Co.*, 96 F.3d 1398, 1405 (Fed. Cir. 1996). “If any claim limitation is absent from the accused device, there is no literal infringement as a matter of law.” *Bayer AG v. Elan Pharm. Res. Corp.*, 212 F.3d 1241, 1247 (Fed. Cir. 2000); *see also Johnson v. IVAC Corp.*, 885 F.2d 1574, 1577-78 (Fed. Cir. 1989) (the patentee must prove that “every limitations set forth in a claim must be found in an accused product or process exactly.”).

4. Doctrine of Equivalents

35. Under the doctrine of equivalents, “a product or process that does not literally infringe upon the express terms of a patent claim may nonetheless be found to infringe if there is ‘equivalence’ between the elements of the accused product or process and the claimed elements

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of the patented invention.” *Warner-Jenkinson Co. v. Hilton Davis Chem. Co.*, 520 U.S. 17, 29 (1997). “Each element contained in a patent claim is deemed material to defining the scope of the patented invention, and thus the doctrine of equivalents must be applied to individual elements of the claim, not to the invention as a whole.” *Id.*

36. One test for the doctrine of equivalents considers whether the disputed step/element performs substantially the same function in substantially the same way, to obtain substantially the same result. *See Graver Tank & Mfg. Co. v. Linde Air Prods., Co.*, 339 U.S. 605, 608 (1950). Another common test for the doctrine of equivalents considers whether the disputed element and accused structure are interchangeable. *See Warner-Jenkinson*, 520 U.S. at 24-25.

37. “[T]wo elements likely are not insubstantially different when they are polar opposites.” *Motivation Innovation LLC v. Ulta Salon Cosmetics & Fragrances Inc.*, 59 F. Supp. 3d 663, 674 (D. Del. 2014) (citing *Brilliant Instr., Inc. v. GuideTech, LLC*, 707 F.3d 1342, 1347 (Fed. Cir. 2013)); *see also Planet Bingo, LLC v. GameTech Int’l, Inc.*, 472 F.3d 1338, 1344-45 (2006) (the Federal Circuit has generally “refused to apply the doctrine [of equivalents] . . . where the accused device contained the antithesis of the claimed structure.”).

38. “If a theory of equivalence would vitiate a claim limitation . . . then there can be no infringement under the doctrine of equivalents as a matter of law.” *Tronzo v. Biomet, Inc.*, 156 F.3d 1154, 1160 (Fed. Cir. 1998); *see also Akzo Nobel Coatings, Inc. v. Dow Chem. Co.*, 811 F.3d 1334, 1342 (Fed. Cir. 2016).

39. When a defendant obtains its own patent on the allegedly equivalent feature following disclosure of the asserted patent during prosecution, that fact militates against a

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finding of infringement under the doctrine of equivalents. *See Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 493 F.3d 1367, 1379-80 (Fed. Cir. 2007); *Siemens Med. Solutions U.S., Inc. v. Saint-Gobain Ceramics & Plastics, Inc.*, C.A. No. 07-190-SLR, 2008 U.S. Dist. LEXIS 1486, at *14-19 (D. Del. Jan. 8, 2008).

40. “Broad and scant” expert testimony on the doctrine of equivalents is insufficient. *See, e.g., Akzo*, 811 F.3d at 1342-43; *Telemac Cellular Corp. v. Topp Telecom, Inc.*, 247 F.3d 1316, 1329 (Fed. Cir.2001) (“Broad conclusory statements offered by [] expert are not evidence.”).

41. Prosecution history estoppel applies to prevent a patentee from using the doctrine of equivalents to recapture in litigation subject matter it surrendered via a narrowing amendment. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. 722, 736 (2002) (“Estoppel arises when an amendment is made to secure the patent and the amendment narrows the patent’s scope.”). Arguments made during the prosecution history to distinguish prior art is enough to give rise to the prosecution history estoppel as “amendment is not essential when argument is made, and relied on, to distinguish the claimed subject matter from the prior art.” *Canton Bio-Med., Inc. v. Integrated Liner Tech., Inc.*, 216 F.3d 1367, 1371 (Fed. Cir. 2000). ““The inquiry into whether a patentee can rebut the *Festo* presumption under the “tangential” criterion focuses on the patentee’s objectively apparent reason for the narrowing amendment[, which must be] discernable from the prosecution history record[.]” *Felix v. Am. Honda Motor Co.*, 562 F.3d 1167, 1184 (Fed. Cir. 2009) (quoting *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 344 F.3d 1359, 1369 (Fed. Cir. 2003)).

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5. Inducement

42. “Whoever actively induces infringement of a patent shall be liable as an infringer.” 35 U.S.C. § 271(b). Liability for induced infringement requires, and is predicated on, a showing of direct infringement. *Limelight Networks, Inc. v. Akamai Techs., Inc.*, 572 U.S. 915, 921 (2014). It is insufficient to rely on speculation that perhaps someone, somewhere may have practiced a claimed method. *See Dynacore Holdings Corp. v. U.S. Philips Corp.*, 363 F.3d 1263, 1277 (Fed. Cir. 2004); *see also E-Pass Techs., Inc. v. 3Com Corp.*, 473 F.3d 1213, 1222-23 (Fed. Cir. 2007) (“If, as E-Pass argues, it is ‘unfathomable’ that no user in possession of one of the accused devices and its manual has practiced the accused method . . . E-Pass should have had no difficulty in meeting its burden of proof and in introducing testimony of even one such user.”).

43. Induced infringement also requires “knowledge of the patent in suit and knowledge of patent infringement.” *Commil USA, LLC v. Cisco Sys., Inc.*, 135 S. Ct. 1920, 1926 (2015); *see also Unwired Planet, LLC v. Apple Inc.*, 829 F.3d 1353, 1364 (Fed. Cir. 2016) (“indirect infringement requires knowledge of the underlying direct infringement—not merely the knowledge of the existence of the patent.”). Knowledge of patent infringement in the abstract does not amount to inducement; specific intent and action to induce infringement must also be proven. *DSU Med. Corp. v. JMS Co.*, 471 F.3d 1293, 1305 (Fed. Cir. 2006); *MEMC Elecs. Mats., Inc. v. Mitsubishi Mats. Silicon Corp.*, 420 F.3d 1369, 1380 (Fed. Cir. 2005). Merely showing that a defendant provides instructions and training for its customers alone does not evidence inducement; rather, the patentee must show that such instructions and training evidence “intent to encourage infringement.” *Takeda Pharms. U.S.A., Inc. v. West-Ward Pharm. Corp.*, 785 F.3d 625, 631 (Fed. Cir. 2015).

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6. Willfulness

44. Enhanced damages under 35 U.S.C. § 284 “are not to be meted out in a typical infringement case, but are instead designed as a ‘punitive’ or ‘vindictive’ sanction for egregious infringement behavior.” *Halo Elecs., Inc. v. Pulse Elecs., Inc.*, 136 S. Ct. 1923, 1932 (2016). The sort of conduct warranting enhanced damages has been variously described in our cases as willful, wanton, malicious, ban-faith, deliberate, consciously wrong, flagrant, or – indeed – characteristics of a pirate.” *Id.* The patentee bears the burden of establishing willfulness by a preponderance of evidence. *Id.* at 1934. “Willfulness requires a showing that the totality of the circumstances evince the egregious conduct that constitutes willful infringement.” *nCube Corp. v. Seachange Int’l, Inc.*, 436 F.3d 1317, 1324 (Fed. Cir. 2006) (citing *Imonex Servs., Inc. v. W.H. Munzprufer Dietmar Trenner GMBH*, 408 F.3d 1374, 1377 (Fed. Cir. 2005)).

45. “To willfully infringe a patent, the patent must exist and one must have knowledge of it.” *State Indus., Inc. v. A.O. Smith Corp.*, 751 F.2d 1226, 1236 (Fed. Cir. 1985); *see also Gustafson, Inc. v. Intersystems Indus. Prods., Inc.*, 897 F.2d 508, 510 (Fed. Cir. 1990) (“It is obvious that a party cannot be held liable for ‘infringement’, and thus not for ‘willful’ infringement, of a nonexistent patent.”); *Adidas Am., Inc. v. Sketchers USA, Inc.*, No. 3:16-cv-1400-SI, 2017 U.S. Dist. LEXIS 89752, at *8 (D. Ore. June 12, 2017) (same).

46. “[A] nexus between the copying and the novel aspect of the claimed invention [in the asserted claims] must exist.” *W.M. Wrigley Jr. Co. v. Cadbury Adams USA LLC*, 683 F.3d 1356, 1364 (Fed. Cir. 2012). In addition, merely keeping track of the competition cannot rise to the level of deliberate copying. *State Indus., Inc. v. A.O. Smith Corp.*, 751 F.2d 1226, 1235-36 (Fed. Cir. 1985). Further, relying on pre-issuance conduct in support of willfulness is allowed only when the pre-issuance conduct demonstrates “particularly egregious behavior.” *See, e.g.,*

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Sonos, Inc. v. D&M Holdings Inc., No. 14-1330 WCB, 2017 WL 5633204, at *4 (D. Del. Nov. 21, 2017) (summarizing cases).

47. The mitigating factors in determining whether there is willful infringement include alleged infringer's independent development and issuance of patents relating to the alleged infringer's accused products and technology. *See, e.g., SRI Int'l, Inc. v. Advanced Tech. Labs., Inc.*, 127 F.3d 1462, 1465 (Fed. Cir. 1997) (independent development a mitigating factor for willfulness); *Rexnord, Inc. v. Laitram Corp.*, No. 85-C-1039, 1988 U.S. Dist. LEXIS 9354, at *117 (E.D. Wis. Jan. 28, 1988) (independent research and development not “utter disregard for the [] patents’ or ‘obnoxious conduct.’”); *King Instr. Corp. v. Otari Corp.*, 767 F.2d 853, 867 (Fed. Cir. 1985) (relying on its patent issuance over the patent-in-suit, defendant “might reasonably have believed that its actions were protected as within its own patentably distinct claims, while falling outside the [patent-in-suit].”).

II. INVALIDITY

A. Issues of Law to be Litigated

48. Whether claims 1 and 10 of the '419 patent are invalid as anticipated.

49. Whether claims 1 and 10 of the '419 patent and claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent are invalid as obvious.

50. Whether claims 1 and 10 of the '419 patent and claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent are invalid for lack of written description.

51. Whether claims 1 and 10 of the '419 patent and claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent are invalid for lack of enablement.

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B. Legal Authority

1. Anticipation

52. Under 35 U.S.C. § 102(a), “[a] person shall be entitled to a patent unless—(1) the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or (2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention,” with certain exceptions outlined in 35 U.S.C. § 102(b).

53. “[I]nvalidity by anticipation requires that the four corners of a single, prior art document describe every element of the claimed invention, either expressly or inherently, such that a person of ordinary skill in the art could practice the invention without undue experimentation.” *Advanced Display Sys., Inc. v. Kent State Univ.*, 212 F.3d 1272, 1282 (Fed. Cir. 2000). However, “the reference need not satisfy an ipsissimis verbis test.” *In re Gleave*, 560 F.3d 1331, 1334 (Fed. Cir. 2009). Moreover, “[a]s long as the reference discloses all of the claim limitations and enables the subject matter that falls within the scope of the claims at issue, the reference anticipates—no actual creation or reduction to practice is required.” *Id.* (citations and quotations omitted).

2. Obviousness

54. Under 35 U.S.C. § 103, “[a] patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed

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invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains.”

55. *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17-18 (1966), set out an objective analysis for applying § 103: “[T]he scope and content of the prior art are . . . determined; differences between the prior art and the claims at issue are . . . ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background, the obviousness or nonobviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unsolved needs, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter sought to be patented.”

56. “In *KSR*, the Supreme Court criticized a rigid approach to determining obviousness based on the disclosures of individual prior-art references, with little recourse to the knowledge, creativity, and common sense that an ordinarily skilled artisan would have brought to bear when considering combinations or modifications.” *Randall Mfg. v. Rea*, 733 F.3d 1355, 1362 (Fed. Cir. 2013). Rather, the Court explained that the obviousness inquiry requires an “expansive and flexible approach.” *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 415 (2007). Exemplary rationales that may support a conclusion of obviousness include: (A) combining prior art features according to known methods to yield predictable results (*id.* at 416); (B) the simple substitution of one known feature, element, process, etc. for another to obtain predictable results (*id.* at 417); (C) the use of one or more known techniques, processes, features, etc. to improve similar processes, components, features, formulations, and the like in the same way (*id.*); (D) applying a known technique, process, of features to a known method or component, including formulations that were ready for improvement to yield predictable results (*id.*); choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success (*id.* at

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421); (F) work in one field of endeavor that may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces where such variations would have been predictable (*id.* at 417); (G) teachings, suggestions, or motivations in the prior art that would have led one of ordinary skill in the art at the relevant time to modify a process, formulations, components, or features described in a prior art reference or to combine prior art reference teachings to arrive at the claimed invention in the Asserted Claims (*id.* at 418). “[T]he analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ.” *Id.* at 418.

57. Various sources of prior art are available for use in an obviousness analysis, including where there material is “patented, described in a printed publication, or in public use, on sale, or otherwise available to the public.” 35 U.S.C. § 102(a)(1). “[T]he on-sale bar applies when two conditions are satisfied before the critical date. First, the product must be the subject of a commercial offer for sale. . . . Second, the invention must be ready for patenting.” *Pfaff v. Wells Elecs., Inc.*, 525 U.S. 55, 67 (1998). An invention can be shown to be ready for patenting either “by proof of reduction to practice before the critical date; or by proof that prior to the critical date the inventor had prepared drawings or other descriptions of the invention that were sufficiently specific to enable a person skilled in the art to practice the invention.” *Id.* at 67-68. Similarly, “[t]he public use bar is triggered where, before the critical date, the invention is in public use and ready for patenting.” *Barry v. Medtronic, Inc.*, 914 F.3d 1310, 1320 (Fed. Cir. 2019).

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3. Written Description

58. The specification of a patent as filed must “contain a written description of the invention.” 35 U.S.C. § 112(a). The test is “whether the disclosure of the application relied upon reasonably conveys to those skilled in the art that the inventor had possession of the claimed subject matter as of the filing date.” *Ariad Pharms., Inc. v. Eli Lilly & Co.*, 598 F.3d 1336, 1351 (Fed. Cir. 2010) (en banc). A patent does not meet the written description requirement where the specification fails “to demonstrate that the patentee possessed the full scope of the invention recited” in the claims. *LizardTech, Inc. v. Earth Resource Mapping, Inc.*, 424 F.3d 1336, 1345 (Fed. Cir. 2005). A party “must show a lack of written description by clear and convincing evidence.” *Rivera v. ITC*, 857 F.3d 1315, 1319 (Fed. Cir. 2017).

59. The policy reasons behind the requirement were articulated by the Supreme Court in the landmark case of *O’Reilly v. Morse*, 56 U.S. 62, 120 (1854). Instead of promoting innovation (the goal of patent law), overbroad claiming suppresses innovation. *Id.* at 120-21 (“The evil is the same if [the inventor] claims more than he has invented, although no other person has invented it before him. He prevents others from attempting to improve upon the manner and process which he has described in his specification and may deter the public from using it, even if discovered.”). Consequently, “[a patentee] can lawfully claim only what he has invented and described, and if he claims more his patent is void.” *Id.* at 121; *see also Cordis Corp. v. Medtronic AVE, Inc.*, 339 F.3d 1352, 1356 (Fed. Cir. 2003) (“a broad claim is invalid when the specification clearly indicates that the invention is of much narrower scope.”) (quoting *Cooper Cameron Corp. v. Kvaerner Oilfield Prod., Inc.*, 291 F.3d 1317, 1323 (Fed. Cir. 2002)).

60. The test for sufficiency of the written description requirement “requires an objective inquiry into the four corners of the specification from the perspective of a person of

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ordinary skill in the art” to determine if “the inventor actually invented the invention claimed.” *Ariad*, 598 F.3d at 1351; *see also Riviera*, 857 F.3d at 1319. “[A] sufficient description of a genus requires the disclosure of either a representative number of species falling within the scope of the genus or structural features common to the members of the genus so that one of skill in the art can ‘visualize or recognize’ the members of the genus.” *Ariad*, 598 F.3d at 1350. A statement merely naming a category of compounds in a specification is not sufficient, on its own, to satisfy the written description requirement. *See Bos. Sci. Corp. v. Johnson & Johnson*, 647 F.3d 1353, 1364 (Fed. Cir. 2011) (“An *ipsis verbis* disclosure of a claimed genus ... is not *per se* sufficient to meet the written description requirement.”). While in some instances “disclosure of a species may be sufficient written description support for a later claimed genus including that species,” this is not the case in various situations such as where “the person skilled in the art would not readily discern that other members of the genus would perform similarly to the disclosed members.” *Bilstad v. Wakalopulos*, 386 F.3d 1116, 1124-25 (Fed. Cir. 2004).

61. While a patent need not describe the accused product in “exact terms,” it must “at least describe some species representative” of the accused product. *AbbVie Deutschland GmbH v. Janssen Biotech, Inc.*, 759 F.3d 1285, 1301 (Fed. Cir. 2014); *see also Rivera*, 587 F.3d at 1321 (“written description support for broad claims covering a receptacle with integrated filter such as Solofill’s accused product . . . is lacking”); *CenTrak, Inc. v. Sonitor Techs., Inc.*, No. 14-183-RGA, 2017 U.S. Dist. LEXIS 139277, at *23-26 (D. Del. Aug. 30, 2017) (Andrews, J.).

62. While expert testimony may help explain and give context to what the specification describes, for purposes of § 112(a), the focus is on the invention the inventors possessed. *Rivera*, 851 F.3d at 1322 (citing *Lockwood v. Am. Airlines, Inc.*, 107 F.3d 1565, 1571-72 (Fed. Cir. 1997)). A party may not use an expert to fill in subject matter that was not

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described as the invention, even if a person of ordinary skill in the art “recognized the need” or was “aware” of the availability of a component of the accused device. *Id.* (rejecting patentee’s attempted “gap-filling”); *see also CenTrak, Inc. v. Sonitor Techs., Inc.*, CA No. 14-183-RGA, 2017 U.S. Dist. LEXIS 139277, at *22-23 (D. Del. Aug. 30, 2017).

63. It is well established that the Federal Circuit considers inventor testimony to be relevant in a §112 analysis. *Auto. Techs. Int’l, Inc. v. BMW of N. Am., Inc.*, 501 F.3d 1274, 1283-84 (Fed. Cir. 2007); *Streck, Inc. v. Research & Diagnostic Sys., Inc.*, 665 F.3d 1269, 1287 (Fed. Cir. 2012).

4. Enablement

64. The specification must “enable” the invention by describing the manner of its making and use “in such full, clear, concise, and exact terms as to enable any person skilled in the art . . . to make and use the same[.]” 35 U.S.C. § 112(a). “This important doctrine prevents both inadequate disclosure of an invention and overbroad claiming that might otherwise attempt to cover more than was actually invented.” *MagSil Corp. v. Hitachi Glob. Storage Techs., Inc.*, 687 F.3d 1377, 1381 (Fed. Cir. 2012). Enablement requires that “the specification, not the knowledge of one skilled in the art, [] must supply the novel aspects of an invention” *Genentech, Inc. v. Novo Nordisk A/S*, 108 F.3d 1361, 1366 (Fed. Cir. 1997); *see also Auto. Techs. Int’l, Inc. v. BMW of N. Am., Inc.*, 501 F.3d 1274, 1283 (Fed. Cir. 2007) (considering “the novel aspects of an invention” in assessing enablement). A specification is not enabling if a person of ordinary skill in the art would be unable to practice the full scope of the claimed invention without engaging in “undue experimentation.” *MagSil*, 687 F.3d at 1380.

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65. The Federal Circuit has articulated a non-exhaustive list of factors a court may consider in the “undue experimentation” inquiry. *In re Wands*, 858 F.2d 731, 737 (Fed. Cir. 1988) (the “Wands” factors); *see also Enzo Biochem, Inc. v. Calgene, Inc.*, 188 F.3d 1362, 1371 (Fed. Cir. 1999). The factor include: (1) the quantity of experimentation necessary, (2) the amount of direction or guidance presented, (3) the presence or absence of working examples, (4) the nature of the invention, (5) the state of the prior art, (6) the relative skill of those in the art, (7) the predictability or unpredictability of the art, and (8) the breadth of the claims. *Wands*, 858 F.2d at 737. Lack of prototypes is another factor relevant to enablement. *Liebel-Flarsheim Co. v. Medrad, Inc.*, 481 F.3d 1371, 1379 (Fed. Cir. 2007).

66. When a claim covers two distinct types of embodiments, it must enable both. *Liebel-Flarsheim*, 481 F.3d at 1379; *Sitrick v. Dreamworks, LLC*, 516 F.3d 993, 1000 (Fed. Cir. 2008) (“Because the asserted claims are broad enough to cover both movies and video games, the patents must enable both embodiments”); *see also Auto. Techs.*, 501 F.3d at 1283, 1285 (holding although the claims covered the use of both electrical and mechanical sensors, these two types of sensors were “distinctly different sensors” and only mechanical sensors were enabled and that the claims were held invalid even though there was some disclosure of an electrical sensor).

67. Disparagement of or teaching away from prior art in the specification “‘is itself evidence that at least a significant amount of experimentation would have been necessary.’” *Liebel-Flarsheim*, 481 F.3d at 1379 (quoting *AK Steel Corp. v. Sollac*, 344 F.3d 1234, 1244 (Fed. Cir. 2003)). In addition, evidence of a later-developed species can support a finding that a patent fails to disclose a representative number of species to support a broad genus claim. *Amgen Inc. v. Sanofi*, 872 F.3d 1367, 1374 (Fed. Cir. 2017).

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68. It is well established that the Federal Circuit considers inventor testimony to be relevant in a §112 analysis. *Auto. Techs.*, 501 F.3d at 1283-84; *Streck*, 665 F.3d at 1287.

III. OLAPLEX'S CLAIMS FOR MISAPPROPRIATION OF TRADE SECRETS

A. Issues of Law to be Litigated

69. Whether Olaplex LLC has proven that it possessed/possesses trade secret information.

70. Whether Olaplex LLC has proven that the information it identifies as its trade secret was not already known to the public or L'Oréal USA as of May 19, 2015.

71. Whether Olaplex LLC has proven that L'Oréal USA, Inc. acquired information that Olaplex LLC identifies as its trade secrets at the May 19, 2015 meeting.

72. Whether Olaplex LLC has proven that L'Oréal USA Products, Inc., L'Oréal USA S/D, Inc. or Redken 5th Avenue NYC, L.L.C. acquired information that Olaplex LLC identifies as its trade secrets which L'Oréal USA Products, Inc. knew or should have known was improperly acquired.

73. Whether Olaplex LLC can prove that L'Oréal USA used or disclosed any of the information Olaplex LLC identifies as its trade secrets without Olaplex LLC's consent.

74. Whether Olaplex LLC can prove that L'Oréal USA used or disclosed any of the information Olaplex LLC identifies as its trade secrets without Olaplex LLC's consent after May 11, 2016.

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75. Whether Olaplex LLC can prove that it suffered any damages as a result of L'Oréal USA's purported disclosure or use of the information Olaplex LLC identifies as its trade secrets.

76. Whether Liqwd, Inc. has proven that it possessed/possesses trade secret information.

77. Whether Liqwd, Inc. has proven that the information it identifies as its trade secret was not already known to the public or L'Oréal USA as of May 19, 2015.

78. Whether Liqwd, Inc. has proven that L'Oréal USA, Inc. acquired information that Liqwd, Inc. identifies as its trade secrets at the May 19, 2015 meeting.

79. Whether Liqwd, Inc. has proven that L'Oréal USA Products, Inc., L'Oréal USA S/D, Inc. or Redken 5th Avenue NYC, L.L.C. acquired information that Liqwd, Inc. identifies as its trade secrets which L'Oréal USA Products, Inc. knew or should have known was improperly acquired.

80. Whether Liqwd, Inc. can prove that L'Oréal USA used or disclosed any of the information Liqwd, Inc. identifies as its trade secrets without Liqwd, Inc.'s consent.

81. Whether Liqwd, Inc. can prove that L'Oréal USA used or disclosed any of the information Liqwd, Inc. identifies as its trade secrets without Liqwd, Inc.'s consent after May 11, 2016.

82. Whether Liqwd, Inc. can prove that it suffered any damages as a result of L'Oréal USA's purported disclosure or use of the information Liqwd, Inc. identifies as its trade secrets.

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83. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation under the DTSA or the DUTSA in light of the fact that Defendants independently discovered that the Olaplex products contained maleic acid in August 2014; that the use of maleic acid in hair treatment processes, including bleaching, was described, detailed, and presented in publications, including, for example, prior patents and published applications; that the testing methods identified by Olaplex as trade secrets were and are common methods generally and publicly known before any meetings between the parties; and that the other information identified by Olaplex as constituting trade secrets consists of information that has been described, detailed, and presented in publications and on publicly available Internet sites.

84. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation under the DTSA or the DUTSA in light of the fact that Defendants independently developed the Accused Products without any information from Olaplex.

85. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their claims for trade secret misappropriation under the DTSA or the DUTSA based on their failure to maintain the purported confidentiality of information they identify as trade secrets.

B. Legal Authority

86. The Defend Trade Secrets Act (“DTSA”) applies only to acts of misappropriation commencing on or after May 11, 2016. *See* Pub. L. No. 114-153, § 2(e), 130 Stat. 376, 381-82 (2016); *see also* *Adams Arms, LLC v. Unified Weapon Sys., Inc.*, No. 8:16-cv-1503-T-33AEP, 2016 WL 5391394, at *6 (M.D. Fla. Sept. 27, 2016) (§ 2(e) requires alleging a prohibited act on

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or after May 11, 2016 to state a “plausible claim for relief”); *Hydrogen Master Rights, Ltd. v. Weston*, No. 16-474-RGA, 2017 WL 78582, at *10 (D. Del. Jan. 9, 2017) (dismissing DTSA claim where “[t]he complaint d[id] not allege any acts on or after May 11, 2016 other than a conclusory allegation of continuing use and disclosure.”)

87. The Delaware Uniform Trade Secrets Act (“DUTSA”) defines “trade secret” as information that the owner has reasonably tried to keep secret, which is not “generally [] known to, and not [] readily ascertainable by proper means by” others who might obtain fiscal value from its disclosure or use. *See* 6 Del. C. § 2001(4). *See also Mattern & Assocs., L.L.C. v. Seidel*, 678 F. Supp. 2d 256, 269 (D. Del. 2010). The Defend Trade Secrets Act (“DTSA”) has a similar definition. *See* 18 U.S.C. § 1839(3).

88. To prevail on a misappropriation of trade secrets claim under the DUTSA, a plaintiff must establish the following:

The acquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means, or alternatively, the disclosure or use of a trade secret of another without express or implied consent by a person who either: (1) acquired the secret by improper means; (2) knew or had reason to know that their knowledge of the trade secret was (A) derived by another who acquired it by improper means, (B) acquired under circumstances giving rise to a duty to maintain its secrecy or limit its use, or (C) acquired by accident or mistake.

Mattern & Assocs., L.L.C. v. Seidel, 678 F. Supp. 2d 256, 269 (D. Del. 2010).

89. A trade secret plaintiff must identify its trade secrets in a manner that provides “a reasonable degree of precision and specificity” that is “particular enough as to separate the trade secret from matters of general knowledge in the trade or of special knowledge of persons skilled in the trade.” *Dow Chem. Canada, Inc. v. HRD Corp.*, 909 F. Supp. 2d 340, 346 (D. Del. 2012).

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See also IDX Sys. Corp. v. Epic Sys. Corp., 285 F.3d 581, 583-84 (7th Cir. 2002) (holding that “a plaintiff must do more than just identify a kind of technology and then invite the court to hunt through the details in search of items meeting the statutory definition” of a trade secret); *TNS Media Research, LLC v. TRA Global, Inc.*, 984 F. Supp. 2d 205, 238-39 (S.D.N.Y. 2013) (rejecting the plaintiff’s “Dance of the Seven Veils approach to its trade secret claim” as “manifestly prejudicial . . . , and taxing to the Court”); *qad.inc. v. ALN Assocs., Inc.*, 1990 WL 93362, at *3 (N.D. Ill. June 20, 1990) (finding it “wrong as a matter of law” that a party could “simply persist in the blunderbuss statement that ‘Everything you got from us was a trade secret’” and prevail on its trade secrets claim).

90. To qualify as a protectable trade secret, the information must “[derive] independent economic value by virtue of its not being generally known or readily ascertainable by proper means.” 6 Del. C. § 2001(4).

91. If a plaintiff intends to point to a combination of known components as its trade secrets, it must “specifically describe what particular combination of components it has in mind, how these components are combined, and how they operate in unique combination.” *Hill v. Best Med. Int’l, Inc.*, 2010 WL 2546023, at *4 n.8 (W.D. Pa. June 24, 2010). *See also Merck & Co. v. SmithKline Beecham Pharms. Co.*, 1999 WL 669354, *15 (Del. Ch. 1999) (noting that a commercial process composed of publicly known elements may constitute a trade secret “so long as it is a unique process which is not known in the industry.”)

92. Information in a published patent application is not a trade secret. *Medtronic Vascular, Inc. v. Advanced Cardiovascular Sys., Inc.*, No. 98-80-SLR, 2005 WL 388592, at *1 n.4 (D. Del. Feb. 2, 2005); *see also Raza v. Siemens Med. Sols. USA Inc.*, 607 F. Supp. 2d 689,

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693 (D. Del. 2009) (“when a patent is published containing a trade secret, it destroys the trade secret.”); *Dow Chem. Canada, Inc. v. HRD Corp.*, 656 F. Supp. 2d 427, 448 (D. Del. 2009) (granting summary judgment and finding that no reasonable jury could conclude that information in a patent application was a trade secret where the information was disclosed in a prior patent.). Likewise, “[o]nce a trade secret is posted on the Internet, it is effectively part of the public domain, impossible to retrieve.”

93. Information that is widely known also cannot be a trade secret. *See Adtile Techs. Inc. v. Perion Network Ltd.*, No. 15-1193-SLR, 2016 WL 3457152, at *3 (D. Del. June 23, 2016) (“Well-known and common-sense methods throughout [an] industry may not properly be considered proprietary information.”); *Pfizer, Inc. v. ICI Americas, Inc.*, No. 7785, 1984 WL 8262, at *8 (Del. Ch. Nov. 21, 1984) (same); *Arrowhead Global Solutions, Inc. v. Datapath, Inc.*, 166 F. App’x 39, 45 (4th Cir. 2006) (“[o]nce a trade secret is posted on the Internet, it is effectively part of the public domain, impossible to retrieve.”); *Kewanee Oil Co. v. Bicron Corp.*, 416 U.S. 470, 484 (1974) (A trade secret cannot be something that has been “placed in the public domain.”); *Nova Chems., Inc. v. Sekisui Plastics Co.*, 579 F.3d 319, 327 (3d Cir. 2009) (“[T]he most important characteristic of a trade secret is that it is in fact secret.”).

94. A trade secret plaintiff cannot claim trade secret protection on ingredients it does not manufacture. *See Callaway Golf Co. v. Dunlop Slazenger Group Ams., Inc.*, 318 F. Supp. 2d 205, 211 (D. Del. 2004) (“Thus, the information Dewanjee received concerning the potential uses of PPDI in a golf ball cover originated with Uniroyal, and, as a matter of law, that information cannot be a Dunlop trade secret.”) (citing *Bowser, Inc. v. Filters, Inc.*, 398 F.2d 7, 10 (9th Cir. 1968)) (“the ideas, formulae, designs, knowledge or skill asserted a constituting plaintiffs’ trade secrets must have originated with the plaintiffs”).

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95. Sources and costs of raw materials, are not trade secrets. *See SI Handling Sys., Inc. v. Heisley*, 753 F.2d 1244, 1257 (3d Cir. 1985) (“[m]aterial sources and costs’ are ‘something that would be learned in any productive industry.’”) *See also Panther Sys., II, Ltd. v. Panther Computer Sys., Inc.*, 783 F. Supp. 53, 70 (E.D.N.Y. 1991) (“in general, the identity of suppliers is not a trade secret entitled to protection since they can be readily learned in any productive industry.”)

96. To establish misappropriation of trade secrets under the DUTSA and DTSA, a plaintiff must prove that a trade secret was improperly used or disclosed by the defendant to the injury of the plaintiff. *Accenture Global Servs. GmbH v. Guidewire Software, Inc.*, 581 F. Supp. 2d 654, 662 (D. Del. 2008) (citing *Savor, Inc. v. FMR Corp.*, 2004 WL 1965869, at *5 (Del. Super. July 15, 2004)); 18 U.S.C. § 1839(5)(A), (B)(i). *See also Avaya Inc. v. Cisco Sys., Inc.*, 2011 WL 4962817, at *3 (D.N.J. Oct. 18, 2011); *see also* DTSA, 18 U.S.C. § 1839(5) (requiring actual “acquisition” or “disclosure” of a trade secret). Thus, “mere knowledge” of a trade secret is not sufficient to maintain a trade secret misappropriation claim. 1 Melvin F. Jager, Trade Secrets Law §5:8 (Oct. 2017).

97. A defendant’s independent development of similar technology cannot support a trade secret claim. *See CVD, Inc. v. Raytheon Co.*, 769 F.2d 842, 850 (1st Cir. 1985) (“unlike a patent, a trade secret affords no rights against the independent development of the same technology or knowledge by others.” *See also Kewanee Oil Co.*, 416 U.S. at 476 (trade secret law “does not offer protection against discovery by fair and honest means, such as by independent invention, accidental disclosure, or by so-called reverse engineering”); *accord* 18 U.S.C. § 1839(6)(b); UTSA § 1 cmt. (amended 1985).

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98. Where a defendant competitor is “experienced,” speed of development does not show misappropriation. *Flotec, Inc. v. S. Research, Inc.*, 16 F. Supp. 2d 992, 1009 (S.D. Ind. 1998).

99. The DTSA applies only to acts of misappropriation commencing on or after May 11, 2016. *See* Pub. L. No. 114-153, § 2(e), 130 Stat. 376, 381-82 (2016); *see also Adams Arms, LLC v. Unified Weapon Sys., Inc.*, No. 8:16-cv-1503-T-33AEP, 2016 WL 5391394, at *6 (M.D. Fla. Sept. 27, 2016) (§ 2(e) requires alleging a prohibited act on or after May 11, 2016 to state a “plausible claim for relief”); *Hydrogen Master Rights, Ltd. v. Weston*, No. 16-474-RGA, 2017 WL 78582, at *10 (D. Del. Jan. 9, 2017) (dismissing DTSA claim where “[t]he complaint d[id] not allege any acts on or after May 11, 2016 other than a conclusory allegation of continuing use and disclosure.”)

IV. OLAPLEX’S CLAIM FOR BREACH OF CONTRACT

A. Issues of Law to be Litigated

100. Whether Olaplex has proven that L’Oréal USA, Inc. shared or disclosed information provided by Olaplex LLC or Liqwd Inc. pursuant to the parties’ Non-Disclosure Agreements.

101. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims in light of their prior breaches of the Non-Disclosure Agreements, including but not limited to their disclosure of the parties’ acquisition talks to third parties without L’Oréal USA, Inc.’s consent.

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102. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims based on their failure to maintain the purported confidentiality of the information they contend was disclosed by L'Oréal USA, Inc.

103. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims because any damages they may have suffered would have been caused by independent, intervening, and/or superseding events, including, for example, Olaplex's public discussions with third parties and through social media regarding their patents and testing practices.

104. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims by failing to act reasonably and prudently mitigate any damages they may have incurred.

B. Legal Authority

105. The elements for a breach of contract claim under Delaware law are: “(1) a contractual obligation; (2) a breach of that obligation by the defendant; and (3) resulting damage to the plaintiff[.]” *Greenstar, LLC v. Heller*, 814 F. Supp. 2d 444, 450 (D. Del. 2011) (citing *WaveDivision Holdings, LLC v. Millennium Digital Media Sys., L.L.C.*, No. 2993–VCS, 2010 WL 3706624, at *13 (Del. Ch. Sept. 17, 2010); *H-M Wexford LLC v. Encorp, Inc.*, 832 A.2d 129, 140 (Del. Ch. 2003)).

106. Prior breach of a contract may excuse a party's alleged non-performance. *Eastern Elec. & Heating, Inc. v. Pike Creek Professional Ctr.*, 1987 Del. Super. LEXIS 1115, at *12-13 (Apr. 7, 1987). In addition, a “voluntary disclosure of purportedly privileged or confidential material to a third-party . . . is generally considered inconsistent with the witness's claim of

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confidentiality.” *John Doe v. Special Investigations Agency, Inc.*, 1991 U.S. Dist. LEXIS 13854, at *5 (E.D. Pa. Sept. 25, 1991).

V. NO DAMAGES ON OLAPLEX’S CLAIMS

A. Issues of Law to be Litigated

1. Patent Issues

107. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages for L’Oréal USA, Inc.’s alleged infringement of the Asserted Claims 1 and 10 of the ’419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the ’954 patent.

108. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any enhanced damages for L’Oréal USA, Inc.’s alleged willful infringement of the Asserted Claims 1 and 10 of the ’419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the ’954 patent.

109. Whether Olaplex LLC and/or Liqwd, Inc. can show this is an exceptional case justifying an award of attorney fees from L’Oréal USA, Inc.

110. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to a permanent injunction based on L’Oréal USA, Inc.’s alleged infringement of the Asserted Claims 1 and 10 of the ’419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the ’954 Patent.

111. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages for L’Oréal USA Products, Inc.’s alleged infringement of the Asserted Claims 1 and 10 of the ’419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the ’954 patent.

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112. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any enhanced damages for L'Oréal USA Products, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent.

113. Whether Olaplex LLC and/or Liqwd, Inc. can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA Products, Inc.

114. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to a permanent injunction based on L'Oréal USA Products, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

115. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages for L'Oréal USA S/D, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent.

116. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any enhanced damages for L'Oréal USA S/D, Inc.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent.

117. Whether Olaplex LLC and/or Liqwd, Inc. can show this is an exceptional case justifying an award of attorney fees from L'Oréal USA S/D, Inc.

118. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to a permanent injunction based on L'Oréal USA S/D, Inc.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

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119. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages for Redken 5th Avenue NYC, L.L.C.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent.

120. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any enhanced damages for Redken 5th Avenue NYC, L.L.C.'s alleged willful infringement of the Asserted Claims 1 and 10 of the '419 patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 patent.

121. Whether Olaplex LLC and/or Liqwd, Inc. can show this is an exceptional case justifying an award of attorney fees from Redken 5th Avenue NYC, L.L.C.

122. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to a permanent injunction based on Redken 5th Avenue NYC, L.L.C.'s alleged infringement of the Asserted Claims 1 and 10 of the '419 Patent and Asserted Claims 1, 4, 11-16, 19, 20, 24-26, and 30 of the '954 Patent.

2. Non-Patent Issues

123. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against L'Oréal USA, Inc. for its claims of misappropriation of trade secrets.

124. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against L'Oréal USA Products, Inc. for its claims of misappropriation of trade secrets.

125. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against L'Oréal USA S/D, Inc. for its claims of misappropriation of trade secrets.

126. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against Redken 5th Avenue NYC, L.L.C for its claims of misappropriation of trade secrets.

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127. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against L'Oréal USA, Inc. for breach of contract.

128. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against L'Oréal USA Products, Inc. for breach of contract.

129. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against L'Oréal USA S/D, Inc. for breach of contract.

130. Whether Olaplex LLC and/or Liqwd, Inc. is entitled to any damages against Redken 5th Avenue NYC, L.L.C for breach of contract.

131. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on their breach of contract claims by failing to act reasonably and prudently mitigate any damages they may have incurred.

132. Whether Olaplex LLC and Liqwd Inc. are barred from recovering on any of their claims on the grounds that any such recovery would constitute unjust enrichment, in light if the fact that information withheld by Olaplex until after the close of document discovery reveals that Olaplex engaged in an aggressive and illegal campaign to manipulate the market to artificially increase its market share while pushing competitors out of the market.

133. Whether Olaplex LLC and Liqwd. Inc. are barred from recovering any relief sought in this action due to their spoliation of evidence, including but not limited to evidence documenting the conception and reduction to practice of the inventions of the Asserted Patents, the manufacture of the Olaplex products and Olaplex's marketing and advertising activities, including but not limited to paid endorsements and social media outreach.

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134. Whether Olapex LLC and Liqwd Inc. are barred from recovering any relief sought in this action, including but not limited to any equitable relief sought, because they filed this lawsuit with unclean hands, including but not limited to the following acts:

- a) Engaging in a multifaceted, illegal scheme to block the sale of the L'Oréal USA products through false promises, false and misleading advertising, and false marking.
- b) Using undisclosed, paid endorsements and fake social media accounts to conceal any affiliation to Olaplex, while lauding the Olaplex products and denouncing competitors, including L'Oréal USA, Inc.
- c) Seeking injunctive relief and arguing that Olapex LLC competes with L'Oréal USA, Inc. in a two-player market, without disclosing their own market conduct and manipulation.
- d) Refusing to produce discovery relating to its marketing activities for nearly two years, which discovery revealed Olaplex's market manipulation.
- e) Securing witnesses' unavailability, including threats to pull Olaplex's business from L'Oréal USA, Inc.'s subsidiary, SalonCentric, if Defendants proceeded with the deposition of Olaplex's co-founder.
- f) Blocking depositions of purported third parties on grounds that Olaplex does not control these third parties, when they were all represented by Olaplex's counsel at their depositions.
- g) Asking stylists who were testing the Redken product to provide Olaplex with non-public, confidential information about the product months before the product was launched and to record any conversations by Redken involving Olaplex.

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B. Legal Authority

1. Patent Issues

135. “Upon finding for the claimant the court shall award the claimant damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the court.” 35 U.S.C. § 284. “[T]he amount of a prevailing party’s damages is a finding of fact on which the plaintiff bears the burden of proof by a preponderance of the evidence.” *Smithkline Diagnostics, Inc. v. Helena Labs., Corp.*, 926 F.2d 1161, 1164 (Fed. Cir. 1991).

136. **Lost Profits.** A patent owner seeking to recover lost profits must show “causation in fact” in a “but for” analysis where absent infringement, there is a reasonable probability that the patent owner would have made the infringer’s sales. *Grain Processing Corp. v. Am. Maize- Prods. Co.*, 185 F.3d 1341, 1349 (Fed. Cir. 1999). Because this is difficult to establish, Courts typically apply the four-factor test articulated in *Panduit Corp. v. Stahl Bros. Fibre Works, Inc.*, 575 F.2d 1152, 1156 (6th Cir. 1978) to determine “but for” causation. *BIC Leisure Prods. v. Windsurfing Int’l, Inc.*, 1 F.3d 1214, 1217-18 (Fed. Cir. 1993). “Damages under *Panduit* are not easy to prove.” *Mentor Graphics Corp. v. Eve-USA, Inc.*, 851 F.3d 1275, 1285 (Fed. Cir. 2017). Specifically, the patentee must establish “(1) demand for the patented product; (2) absence of acceptable noninfringing substitutes; (3) manufacturing and marketing capacity to exploit the demand; and (4) the amount of profit it would have made.” *BIC Leisure Prods.*, 1 F.3d at 1217. Among other reasons, the *Panduit* test is difficult to prove because the first two factors, taken together, require patentees “to prove demand for the product as a whole and the absence of non-infringing alternatives,” thereby tying lost profit damages “to specific claim limitations and

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ensur[ing] that damages are commensurate with the value of the patented feature.” *Mentor*, 851 F.3d at 1285.

137. “The second factor, absence of acceptable non-infringing alternatives, often proves the most difficult obstacle for patent holders. Under this factor, if there is a noninfringing alternative which any given purchaser would have found acceptable and bought, then the patentee cannot obtain lost profits for that particular sale. For example, if the customer would have bought the infringing product without the patented feature or with a different, noninfringing alternative to the patented feature, then the patentee cannot establish entitlement to lost profits for that particular sale. And this determination is made on a customer-by-customer basis. For this reason, it is quite common to see damage awards where, as in this case, the patentee proves entitlement to lost profits for some of its sales, but not others.” *Id.* at 1286 (citations omitted).

138. In certain cases, a “market share approach” is allowed in order to calculate lost profits. *See State Indus., Inc. v. Mor-Flo Indus., Inc.*, 883 F.2d 1573, 1576 (Fed. Cir. 1989). However, even in cases where a “market share approach” is acceptable, it is still not a proxy for proving causation. *See, e.g., Grain Processing*, 185 F.3d at 1350-51; *Slimfold Mfg. Co. v. Kinkead Indus.*, 932 F.2d 1453, 1458 (Fed. Cir. 1991); *Bose Corp. v. JBL, Inc.*, 112 F. Supp. 3d 138, 160 (D. Mass. 2000) (“the market share approach is not automatically applied . . . the patentee must still prove . . . that it would have captured the infringing sales.”).

139. “Only after the court has decided, as a matter of law, that lost profits are available does the jury then get to determine the amount of those lost profits.” *Wechsler v. Macke Int’l Trade, Inc.*, 486 F.3d 1286, 1293 (Fed. Cir. 2007).

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140. **Reasonable Royalty.** “By statute, reasonable royalty damages are deemed the minimum amount of infringement damages ‘adequate to compensate for the infringement.’ Such damages must be awarded ‘for the use made of the invention by the infringer.’” *LaserDynamics, Inc. v. Quanta Computer, Inc.*, 694 F.3d 51, 66-67 (Fed. Cir. 2012) (citing 35 U.S.C. § 284). “A ‘reasonable royalty’ derives from a hypothetical negotiation between the patentee and the infringer when the infringement began. A comprehensive (but unprioritized and often overlapping) list of relevant factors for a reasonable royalty calculation appears in *Georgia-Pacific Corp. v. United States Plywood Corp.*, 318 F. Supp. 116, 1120 (S.D.N.Y. 1970).” *ResQNet.com, Inc. v. Lanza, Inc.*, 594 F.3d 860, 869 (Fed. Cir. 2010) (internal citation omitted). “[A] reasonable royalty analysis requires a court to hypothesize, not to speculate.” *Id.* “To prevent the hypothetical from lapsing into pure speculation, this court requires sound economic proof of the nature of the market and likely outcomes with infringement factored out of the economic picture.” *Grain Processing*, 185 F.3d at 1350. “[T]he trial court must carefully tie proof of damages to the claimed invention’s footprint in the market place.” *ResQNet.com*, 594 F.3d at 869.

141. Although “[a]ctual licenses to the patented technology are highly probative as to what constitutes a reasonable royalty,” it is well-established that “a loose or vague comparability between different technologies or licenses does not suffice.” *LaserDynamics*, 694 F.3d at 79. Rather, “there must be a basis in fact to associate the royalty rates used in prior licenses to the particular hypothetical negotiation at issue.” *Uniloc USA, Inc. v. Microsoft Corp.*, 632 F.3d 1292, 1317 (Fed. Cir. 2011). “[C]omparisons of past patent licenses to the infringement must account for the technological and economic differences between them.” *Worldtech Sys., Inc. v. Integrated Network Solutions, Inc.*, 609 F.3d 1308, 1320 (Fed. Cir. 2010); *ResQNet.com*, 594 F.3d at 873

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(need “factual findings that accounted for the technological and economic differences between those licenses and the [patent-in-suit].”). Vague comparability is not enough to show technical or economic comparability. *See, e.g., LaserDynamics*, 694 F.3d at 79; *M2M Solutions, LLC v. Enfora, Inc.*, 167 F. Supp. 3d 665, 677 (D. Del. 2016) (“ambiguous conclusions of technological comparability” are not enough); *id.* at 678 (“These unsubstantiated conclusions about economic comparability, lacking in analysis, again provide nothing more than ipse dixit.”).

142. **Apportionment.** “[A]pportionment is an important component of damages law generally, and we believe it is necessary in both reasonable royalty and lost profits analysis.” *Mentor*, 851 F.3d at 1287. Indeed, it is well-established that patent damages “‘must reflect the value attributable to the infringing features of the product, and no more.’” *Commonwealth Sci. & Indus. Research Org. v. Cisco Sys., Inc.*, 809 F.3d 1295, 1301 (Fed. Cir. 2015) (quoting *Ericsson, Inc. v. D-Link Sys., Inc.*, 773 F.3d 1201, 1226 (Fed. Cir. 2014)); *see also Garretson v. Clark*, 111 U.S. 120, 121 (1884). Further, “the patent owner must apportion or separate the damages between the patented improvement and the conventional components of the multicomponent product.” *Exmark Mfg. Co. v. Briggs & Stratton Power Prods.*, 879 F.3d 1332, 1348 (Fed. Cir. 2018).

143. The entire market value rule (“EMVR”) is a narrow exception to apportionment. EMVR is only available if plaintiff demonstrates that the patented feature drives the demand for an entire multi-component product. *LaserDynamics*, 694 F.3d at 67. Under this “narrow exception,” damages can be based on a percentage of revenues or profits attributable to the entire product but only if the patentee shows that “the patented feature creates the ‘basis for customer demand’ or ‘substantially create[s] the value of the component parts.’” *Id.*; *Uniloc*, 632 F.3d at

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1318 (citation omitted). Importantly, “[i]t is not enough to merely show that the [patented feature] is viewed as valuable, important, or even essential ...” *LaserDynamics*, 694 F.3d at 68.

144. **Enhanced Damages.** “Section 284 [of the Patent Act] gives district courts discretion in meting out enhanced damages.” *Halo Elecs., Inc. v. Pulse Elecs., Inc.*, 136 S. Ct. 1923, 1934 (2016). However, “they are not to be meted out in a typical infringement case, but are instead designed as a ‘punitive’ or ‘vindictive’ sanction for egregious infringement behavior.” *Id.* at 1932. “The sort of conduct warranting enhanced damages has been variously described in our cases as willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, flagrant, or—indeed—characteristic of a pirate.” *Id.*

145. **Attorneys’ Fees.** The court in exceptional cases may award reasonable attorney fees to the prevailing party. Exceptional cases include cases where the defendant has acted willfully and/or showed a lack of accountability for false statements during litigation. *See Fair Wind Sailing, Inc. v. Dempster*, 764 F.3d 303, 315 (3d Cir. 2014) (“[A] district court may find a case ‘exceptional,’ and therefore award fees to the prevailing party, when (a) there is an unusual discrepancy in the merits of the positions taken by the parties or (b) the losing party has litigated the case in an ‘unreasonable manner.’”) (quoting *Octane Fitness, LLC v. Icon Health & Fitness, Inc.*, 134 S. Ct. 1749, 1756 (2014)); *G6 Hosp. Franchising LLC v. HI Hotel Grp., LLC*, 171 F. Supp. 3d 340, 349 (M.D. Pa. 2016) (“Although culpability is no longer a ‘threshold requirement,’ the Third Circuit in *Fair Wind Sailing, Inc.* stated that ‘blameworthiness may well play a role in a district court’s analysis of the ‘exceptionality’ of a case.’”) (quoting *Fair Wind Sailing*, 764 F.3d at 315)); *see also Cosmetic Warriors Ltd. v. Nailush LLC*, No. 17-1475 (RBK/JS), 2017 U.S. Dist. LEXIS 183886, at *15-17 (D.N.J. Nov. 6, 2017) (awarding fees);

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Renna v. Cty. of Union, No. 11-3328 (KM), 2015 U.S. Dist. LEXIS 1370, at *15-22 (D.N.J. Jan. 6, 2015) (same).

146. **Permanent Injunction.** “A plaintiff seeking a permanent injunction must satisfy a four-factor test before a court may grant such relief.” *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388, 391 (2006). Specifically, “[a] plaintiff must demonstrate: (1) that it has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted; and (4) that the public interest would not be disserved by a permanent injunction.” *Id.* However, “an injunction is a drastic and extraordinary remedy, which should not be granted as a matter of course.” *Monsanto Co. v. Geertson Seed Farms*, 130 S. Ct. 2743, 2748 (2010). If “a less drastic remedy . . . [is] sufficient to redress [a plaintiff’s] injury, no recourse to the additional and extraordinary relief of an injunction [is] warranted.” *Id.* Moreover, a plaintiff must show a causal nexus between the alleged infringement and the alleged harm. *Apple Inc. v. Samsung Elecs. Co.*, 735 F.3d 1352, 1360 (Fed. Cir. 2013).

2. Non-Patent Issues

147. To recover for trade secret misappropriation, a plaintiff must show injury. *See Accenture Global Servs. GMBH*, 581 F. Supp. 2d at 662; *see also* 18 U.S.C. § 1836(b)(3).

148. To recover monetary damages for the misappropriation of trade secrets, “the plaintiff must show either unjust enrichment of the defendant or economic harm to himself.” *Agilent Techs. v. Kirkland*, 2010 Del. Ch. LEXIS (Feb. 8, 2010); 6 Del. C. § 2003(a); *see also* 18 U.S.C. § 1836(b)(3).

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149. Under the DUTSA, the plaintiff bears the burden of demonstrating that defendant's misappropriation proximately caused its unjust enrichment. *Total Care Physicians, P.A. v. O'Hara*, 2003 WL 21733023, at *2 (Del. Supr. July 10, 2003) ("Although the causation element is not defined further in the [DUTSA], and case law on the subject is sparse, statutory construction and deductive reasoning lead to the clear conclusion that causation referred to in the Act is proximate causation. . . .Our time honored definition of proximate cause. . .is that direct cause without which [an injury] would have not occurred" (internal quotations and citations omitted)). *See also* 6 Del. C. § 2003.

150. When a trade secret plaintiff asserts that a defendant gained a "head start" by using its trade secrets, money damages are limited by the time it would have taken the defendants to develop a comparable product without the use of the plaintiff's trade secrets. *NuCar Consulting*, 2005 WL 820706, at *13 (granting unjust enrichment damages limited to the amount of time it would have taken the defendants to develop the trade secret through proper means). *See also Sokol Crystal Products, Inc. v. DSC Commc'ns Corp.*, 15 F.3d 1427, 1433 (7th Cir. 1994) ("It is true that, where a misappropriation of a trade secret only gives a competitor a 'head start' in developing a product, damages should be limited to the injury suffered in that 'head start' period."); *Schiller & Schmidt, Inc. v. Wallace Computer Servs., Inc.*, 1991 WL 270170, at *6 (N.D. Ill. 1991) (explaining that a plaintiff "is only entitled to protection for the period of time it would take a legitimate competitor to acquire the secret information on his own").

151. Under the DUTSA, a court may award exemplary damages for willful and malicious misappropriation of a trade secret. *See* 6 Del. C. § 2003(b). Delaware courts have defined willfulness as "an awareness, either actual or constructive, of one's conduct and a

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realization of its probable consequences,” and malice as “ill-will, hatred or intent to cause injury.” *Nucar Consulting, Inc. v. Doyle*, 2005 WL 820706, at *1100 (Del. Ch. 2005).

152. The purpose of an injunction in a trade secrets misappropriation action is to “protect the secrecy of the misappropriated information, eliminate the unfair advantage obtained by the wrongdoer, and reinforce the public policy of commercial morality.” *Miles, Inc. v. Cookson Am., Inc.*, 1994 WL 676761, at *20 (Del. Ch. 1994). An injunction would be inappropriate where the alleged “head start” period has already run. *See 3M v. Pribyl*, 259 F.3d 587, 609-610 (7th Cir. 2001).

153. Under Delaware law, breach of contract damages are measured by what is necessary to put the plaintiff in the position it would have been in but for the defendant’s breach. *Genencor Int’l, Inc. v. Novo Nordisk*, 766 A.2d 8, 11 (Del. 2000).

154. In Delaware, a party has a general duty to mitigate damages if it is feasible to do so. *See Norkei Ventures, LLC v. Butler-Gordon, Inc.*, 2008 WL 4152775, at *2 (Del. Super. Aug.28, 2008). “[A] party cannot recover damages for loss that he could have avoided by reasonable efforts.” *See John Petroleum, Inc. v. Parks*, 2010 Del. Super. LEXIS 637, 2010 WL 3103391, at *6 (Del. Super. June 4, 2010.)

155. Unjust enrichment is “the unjust retention of a benefit to the loss of another, or the retention of money or property of another against the fundamental principles of justice or equity and good conscience.” *Fleer Corp. v. Topps Chewing Gum, Inc.*, 539 A.2d 1060, 1062 (Del. 1988). A party cannot recover amounts greater than what is necessary to make it whole. *See, e.g., Phillips v. Delaware Power and Light Co.*, 201 A.2d 160 (1964); *Oliver B. Cannon and*

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Son, Inc. v. Dorr-Oliver, Inc., 394 A.2d 1160 (Del. Super. 1978); *Katz v. Executive Auto Leasing, Inc.*, 282 A.2d 866 (1971).

156. A court may dismiss an action if it determines that a party spoliated evidence in bad faith and that such spoliation was prejudicial to the opposing party. *Micron Tech., Inc. v. Rambus Inc.*, 917 F. Supp. 2d 300, 324 (D. Del. 2013). The Third Circuit has established three factors that a district court, under its inherent power to impose sanctions, should consider in this regard: (1) the degree of fault of the spoliating party; (2) the degree of prejudice to the adverse party; and (3) whether there is a less severe punishment that would avoid substantial unfairness to the adverse party while still serving to deter similar spoliation by others in the future. *Schmid v. Milwaukee Elec. Tool Corp.*, 13 F.3d 76, 79 (3d Cir. 1994). The court's choice of sanction should ultimately promote the trifold aims of: (1) deterring future spoliation of evidence; (2) protecting the defendants' interests; and (3) remedying the prejudice defendants suffered as a result of the spoliating party's actions. *Micron Tech., Inc. v. Rambus Inc.*, 917 F. Supp. 2d 300, 315 (D. Del. 2013).

157. Beyond dismissal, potential sanctions for spoliation include preclusion of evidence, an adverse or spoliation inference, and awarding of costs. *See, e.g. United Med. Supply Co. v. United States*, 77 Fed. Cl. 257, 276 (Fed. Cl. 2007) (precluding both cross-examination of plaintiff's expert and introduction of defense expert as a sanction for spoliation by defense); *Travelers Prop. & Cas. Co. v. Cooper Crouse-Hinds, LLC*, 2007 WL 2571450, at *12 (E.D. Pa. Aug. 31, 2007) (ordering an adverse inference jury instruction in lieu of judgment for defense as a sanction for plaintiff's spoliation of evidence); *Turner v. Hudson Transit Lines, Inc.*, 142 F.R.D. 68, 77-78 (S.D.N.Y. 1991) (awarding costs, including attorney fees, for destruction of evidence).

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158. To establish waiver, one must show that the other party “voluntarily and intentionally relinquished a known right.” *Danvir Corp. v. City of Wilm.*, 2008 WL 4560903, at *7 (Del. Ch. Oct. 6, 2008). “A party cannot both accept the benefits which accrue under a contract on the one hand and shirk its disadvantages on the other.” *Cianci v. JEM Enter., Inc.*, 2000 WL 1234647, at *12 (Del. Ch. Aug. 22, 2000).

159. The doctrine of unclean hands is based on the fundamental principal that before a complainant has standing in court, he must not only show a good and meritorious cause of action, but also must come into court with clean hands. *Honeywell Int’l, Inc. v. Universal Avionics Sys. Corp.*, 343 F. Supp. 2d 272, 321 (D. Del. 2004). In other words, “[o]ne who comes in equity must come with clean hands and keep those hands clean throughout the pendency of the litigation even to the time of ultimate disposition by an appellate court.” *Gaudiosi v. Mellon*, 269 F.2d 873, 882 (3d Cir. 1959). If a party “who sets the judicial machinery in motion to obtain a remedy, violates conscience, good faith or any other equitable principle ‘then the doors of the court will be shut’ and the court will refuse to acknowledge his right to any remedy.” *Honeywell Int’l, Inc.* 343 F. Supp. 2d at 321. When faced with an unclean hands defense, the court is not bound by any formula, restraint or limitation which restricts the free and just exercise of its equitable discretion. *Id.* Rather, “[a]ny willful act, which can rightfully be said to transgress equitable standards, is sufficient.” (citing *Precision Instrument Co. v. Automotive Maintenance Mach. Co.*, 324 U.S. 806, 815 (1945)). If unclean hands occurs during litigation, it bars any recovery by the offending party. *Honeywell Int’l, Inc.* 343 F. Supp. 2d at 321 (citing *Aptix Corp. v. Quickturn Design Sys. Inc.*, 269 F.3d 1369, 1375, 1376)).

160. Unclean hands is also a defense to a claim for patent infringement. *See Aptix Corp. v. Quickturn Design Sys. Inc.*, 269 F.3d 1369, 1380 (Fed. Cir. 2001). A patent holder’s

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unclean hands may bar it from receiving equitable relief. *See Gilead Sciences, Inc. v. Merck & Co., Inc.*, 888 F.3d 1231, 1240 (Fed. Cir. 2018). The unclean hands defense requires that the asserted misconduct “in some measure affect the equitable relations between the parties in respect of something brought before the court.” *Id.* at 1239.

VI. L’OREAL USA’S COUNTERCLAIM FOR VIOLATION OF THE LANHAM ACT

A. Issues of Law to be Litigated

161. Whether Olaplex made or caused others to make false and/or misleading statements regarding the Olaplex products or L’Oréal USA, Inc.’s products in violation of Section 43(a) of the Lanham Act, 15 U.S.C. Section 1125(a).

162. Whether Olaplex’s statements were true, misleading or made with the intent to deceive.

163. Whether L’Oréal USA, Inc. is entitled to damages, attorneys’ fees and costs for Olaplex’s violations of the Lanham Act.

164. Whether L’Oréal USA, Inc. is entitled to injunctive relief prohibiting Olaplex from engaging in false advertising.

165. Whether L’Oréal USA, Inc. is entitled to injunctive relief mandating that Olaplex issue corrective advertising.

B. Legal Authority

166. The Lanham Act provides “[a]ny person who, on or in connection with any goods or services, or any container for goods, uses in commerce any . . . false or misleading description of fact, or false or misleading representation of fact, which (A) is likely to cause confusion, or to

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cause mistake . . . or (B) in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person's goods, services, or commercial activities . . . shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act." 15 U.S.C. § 1125(a).

167. To show a qualifying false or misleading statement, a plaintiff must demonstrate that the defendant's statement was either (i) literally false or (ii) literally true or ambiguous but implicitly false, misleading in context, or likely to deceive. *See Novartis Consumer Health, Inc. v. Johnson & Johnson-Merck Consumer Pharms. Co.*, 290 F.3d 578, 586 (3d Cir. 2002); *Santana Prods., Inc. v. Bobrick Washroom Equip., Inc.*, 401 F.3d 123, 136 (3d Cir. 2005). Thus, the Lanham Act recognizes two different theories of recovery for false advertising under Section 43(a): "(1) an advertisement may be false on its face; or (2) the advertisement may be literally true, but given the merchandising context, it nevertheless is likely to mislead and confuse consumers." *Castrol, Inc. v. Pennzoil Co.*, 987 F.2d 939, 943 (3d Cir. 1993).

168. Liability can arise under the Lanham Act "if a website purporting to offer reviews are in reality stealth operations intended to disparage a competitor's product while posing as a neutral third party." *GOLO, LLC v. HighYa, LLC*, 310 F. Supp. 3d 499, 505 (E.D. Pa. 2018); see also *Ames Publ'g Co. v. Walker-Davis Publ'ns, Inc.*, 372 F. Supp. 1, 11 (E.D. Pa. 1974) (liability under the Lanham Act "extends to instances where the defendant creates a false impression").

169. Proof of literal falsity relieves the plaintiff of its burden to prove actual consumer deception. *Highmark, Inc. v. UPMC Health Plan, Inc.*, 276 F.3d 160, 171 (3d Cir. 2001) ("If an advertisement is literally false, the plaintiff does not have to prove actual consumer deception.") A 'literally false' message may be either explicit or 'conveyed by necessary implication' when,

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considering the advertisement in its entirety, the audience would recognize the claim as readily as if it had been explicitly stated.”” *Novartis Consumer Health, Inc. v. Johnson & Johnson-Merck Consumer Pharms. Co.*, 290 F.3d 578, 586 -87 (3d Cir. 2002) (quoting *Clorox Co. v. Proctor & Gamble Commercial Co.*, 228 F.3d 24, 35 (1st Cir. 2000)).

170. Where a claim is not literally false, a plaintiff may assert a false advertising claim by proving:

(1) that the defendant has made false or misleading statements as to his own product [or another’s]; (2) that there is actual deception or at least a tendency to deceive a substantial portion of the intended audience; (3) that the deception is material in that it is likely to influence purchasing decisions . . .

Id. at 590 (quoting *Johnson & Johnson-Merck Consumer Pharm. Co. v. Rhone-Poulenc Rorer Pharms., Inc.*, 19 F.3d 125, 129 (3d Cir. 1994)).

171. Plaintiffs must establish economic or reputational injury proximately caused by the unfair competition. *Lexmark Int’l, Inc. v. Static Control Components, Inc.*, 134 S. Ct. 1377, 1384 (2014). However, if the challenged statements were made with the intent to deceive consumers, then a party asserting a Lanham Act need not prove causation. *See Bracco Diagnostics, Inc. v. Amersham Health, Inc.*, 627 F. Supp. 2d 384, 481 (D.N.J. 2009) (“For example, a ‘predicate finding of intentional [or willful] deception, as a major part of the defendant’s marketing efforts, contained in comparative advertising[;]’ will justify a rebuttable presumption of causation and injury in fact.”); *McNeilab, Inc. v. Am. Home Prod. Corp.*, 501 F. Supp. 517, 530 (S.D.N.Y. 1980); *Porous Media Corp. v. Pall Corp.*, 110 F.3d 1329, 1337 (8th Cir. 1997) (holding that a party “need not have been required to present extrinsic evidence of confusion” because the defendant “violated the Lanham Act willfully and in bad faith”).

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172. Section 1117 of the Lanham Act provides that, where there has been a violation of Section 1125(a), “the plaintiff shall be entitled . . . subject to the principles of equity, to recover (1) defendant’s profits, (2) any damages sustained by the plaintiff, and (3) the costs of the action.”

173. In calculating defendant’s profits, “the plaintiff shall be required to prove defendant’s sales only; defendant must prove all elements of cost or deduction claimed.” *Id.*; *Banjo Buddies, Inc. v. Renosky*, 399 F.3d 168, 176 (3d Cir. 2005). This “burden shifting” framework applies in false advertising cases. *See, e.g., Gen. Steel Domestic Sales, LLC v. Chumley*, 627 F. App’x 682, 686-87 (10th Cir. 2015) (Gorsuch, J.); *Aviva Sports, Inc. v. Fingerhut Direct Mktg., Inc.*, 829 F. Supp. 2d 802, 817-819 (D. Minn. 2011); *Rexall Sundown, Inc. v. Perrigo Co.*, 707 F. Supp. 2d 357, 361 (E.D.N.Y. 2010). “If the court shall find that the amount of the recovery based on profits is either inadequate or excessive the court may in its discretion enter judgment for such sum as the court shall find to be just, according to the circumstances of the case.” 15 U.S.C. § 1117(a).

174. The Third Circuit considers the following factors in determining whether to award the defendant’s profits: “(1) whether the defendant had the intent to confuse or deceive, (2) whether sales have been diverted, (3) the adequacy of other remedies, (4) any unreasonable delay by the plaintiff in asserting his rights, (5) the public interest in making the misconduct unprofitable, and (6) whether it is a case of palming off.” *Banjo Buddies*, 399 F.3d at 175.

175. The court in exceptional cases may award reasonable attorney fees to the prevailing party. Exceptional cases include cases where the defendant has acted willfully and/or showed a lack of accountability for false statements during litigation. *See Fair Wind Sailing*,

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Inc. v. Dempster, 764 F.3d 303, 315 (3d Cir. 2014) (“[A] district court may find a case ‘exceptional,’ and therefore award fees to the prevailing party, when (a) there is an unusual discrepancy in the merits of the positions taken by the parties or (b) the losing party has litigated the case in an ‘unreasonable manner.’”) (quoting *Octane Fitness, LLC v. Icon Health & Fitness, Inc.*, 134 S. Ct. 1749, 1756 (2014)); *G6 Hosp. Franchising LLC v. HI Hotel Grp., LLC*, 171 F. Supp. 3d 340, 349 (M.D. Pa. 2016) (“Although culpability is no longer a ‘threshold requirement,’ the Third Circuit in *Fair Wind Sailing, Inc.* stated that ‘blameworthiness may well play a role in a district court’s analysis of the ‘exceptionality’ of a case.’”) (quoting *Fair Wind Sailing*, 764 F.3d at 315)); *see also Cosmetic Warriors Ltd. v. Nailush LLC*, No. 17-1475 (RBK/JS), 2017 U.S. Dist. LEXIS 183886, at *15-17 (D.N.J. Nov. 6, 2017) (awarding fees); *Renna v. Cty. of Union*, No. 11-3328 (KM), 2015 U.S. Dist. LEXIS 1370, at *15-22 (D.N.J. Jan. 6, 2015) (same).

176. The Lanham Act also allows a prevailing party “to recover . . . the cost of the action.” 15 U.S.C. § 1117(a)(3).

VII. L’OREAL USA’S COUNTERCLAIM FOR FRAUD-FALSE PROMISE

A. Issues of Law to be Litigated

177. Whether Olaplex made false representations to L’Oréal USA, Inc. during the parties’ acquisition discussions, which it knew or believed were false.

178. Whether Olaplex intended L’Oréal USA, Inc. to rely on its representations.

179. Whether L’Oréal USA, Inc. relied on Olaplex’s false representations, to its detriment.

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180. Whether L'Oréal USA is entitled to damages and attorneys' fees for Olaplex's fraud.

B. Legal Authority

181. The elements of a claim for false promise are: (1) a false representation, usually of fact; (2) the speaker knew or believed the representation was false, or made it with reckless indifference to the truth; (3) the speaker intended to induce the claimant to act or to refrain from acting (4) the claimant acted or did not act, in justifiable reliance upon the representation; and (5) damage as a result of the reliance. *Hauspie v. Stonington Partners, Inc.*, 945 A.2d 584, 586 (Del. 2008).

182. A party asserting a fraud claim "may rely on circumstantial evidence to support [their] allegations of actual fraud, because '[a]ctual intent to defraud, by its nature, is rarely susceptible to direct proof, and, thus, circumstantial evidence must suffice.'" *In re Student Fin. Corp.*, 382 B.R. 212, 216 (Bankr. D. Del. 2007) (citations omitted). *See also Liberty Bell Bank v. Rogers*, 726 F. App'x 147, 154 (3d Cir. 2018) (affirming summary judgment on fraud-based RICO claim, holding that, despite "no 'smoking gun' evidence" of intent to defraud, intent was inferred through circumstantial evidence); *United States v. Philip Morris USA Inc.*, 566 F.3d 1095, 1118 (D.C. Cir. 2009) ("[S]pecific intent to defraud may be, and most often is, inferred from the totality of the circumstances, including indirect and circumstantial evidence.").

183. The measure of damages for fraud are those that are the direct and proximate result of a false representation or actual out-of-pocket loss, and may also include attorneys' fees where a litigant has brought a case in bad faith or where an action giving rise to the suit involved fraud or bad faith. *See Wirt v. Matthews*, 2002 Del. C.P. LEXIS 17 (Feb. 7, 2002); *ASB*

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Allegiance Real Estate Fund v. Scion Breckenridge Managing Member, LLC, 2013 Del. Ch. LEXIS 236, at *17-18 (Sept. 16, 2013); *Arbitrium (Cayman Is.) Handels AG v. Johnston*, 705 A.2d 225, 232 (Del. Ch. 1997) (explaining that if a suit “involved bad faith, fraud, conduct that was totally unjustified, or the like,” then attorneys’ fees can be awarded “as an element of damages.”).

184. Punitive damages may be awarded if the fraud is gross, oppressive, or aggravated, or where it involves breach of trust or confidence. *Snow v. Opal*, 2002 Del. C.P. LEXIS 26 (May 20, 2002)

VIII. L’OREAL USA’S COUNTERCLAIMS FOR BREACH OF CONTRACT

A. Issues of Law to be Litigated

185. Whether Liqwd, Inc. disclosed confidential information in breach of the Non-Disclosure Agreement attached as Exhibit C to Olaplex’s Third Amended Complaint (D.I. 636).

186. Whether Olaplex LLC disclosed confidential information in breach of the Non-Disclosure Agreement attached as Exhibit A to L’Oréal USA’s Amended Counterclaims (D.I. 650).

187. Whether L’Oréal USA, Inc. is entitled to damages and attorneys’ fees for Olaplex’s breaches.

B. Legal Authority

188. The elements for a breach of contract claim under Delaware law are: “(1) a contractual obligation; (2) a breach of that obligation by the defendant; and (3) resulting damage to the plaintiff[.]” *Greenstar, LLC v. Heller*, 814 F. Supp. 2d 444, 450 (D. Del. 2011) (citing *WaveDivision Holdings, LLC v. Millennium Digital Media Sys., L.L.C.*, No. 2993–VCS, 2010

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WL 3706624, at *13 (Del. Ch. Sept. 17, 2010); *H-M Wexford LLC v. Encorp, Inc.*, 832 A.2d 129, 140 (Del. Ch. 2003))

189. Under Delaware law, breach of contract damages are measured by what is necessary to put the plaintiff in the position it would have been in but for the defendant's breach. *Genencor Int'l, Inc. v. Novo Nordisk*, 766 A.2d 8, 11 (Del. 2000).

190. Delaware law also allows for the recovery of nominal damages for breach of contract claims. *See Evolved Wireless, LLC v. Apple, Inc.*, 2019 WL 831112 (D. Del. Feb. 21, 2019) ("Delaware law permits a jury to award nominal damages for breach of contract.").

IX. L'OREAL USA'S COUNTERCLAIM FOR FALSE MARKING

A. Issues of Law to be Litigated

191. Whether Olaplex falsely marks its Step 1, Step 2, and/or Step 3 products under U.S. Patent No. 9,095,518, causing harm to L'Oréal USA, Inc.

192. Whether L'Oréal USA, Inc. is entitled to damages for Olaplex's false marking.

B. Legal Authority

193. Under 35 U.S.C. § 292(b), any "person who has suffered a competitive injury as a result of a violation of this section may file a civil action in a district court of the United States for recovery of damages adequate to compensate for the injury." False marking has two elements: (1) an unpatented article marked as patented, and (2) specific intent to deceive the public. *Forest Grp., Inc. v. Bon Tool Co.*, 590 F.3d 1295, 1300 (Fed. Cir. 2009). "An article is 'unpatented,' and hence falsely marked within the meaning of Section 292 when it is 'not covered by at least one claim of each patent with which the article is marked.'" *Brinkmeier v. Graco Children's Prod. Inc.*, 767 F. Supp. 2d 488, 494 (D. Del. 2011) (citing *Clontech Labs. Inc.*

EXHIBIT 5

v. Invitrogen Corp., 406 F.3d 1347, 1352 (Fed. Cir.2005)). ““Intent to deceive is a state of mind arising when a party acts with sufficient knowledge that what it is saying is not so and consequently that the recipient of its saying will be misled into thinking that the statement is true.”” *Id.*

194. While there is no duty to mark a product if the patent only has method claims, 35 U.S.C. § 292 imposes liability on falsely marking “any unpatented articles.” Courts have repeatedly found Section 292 to be violated when articles are falsely marked with a method patent. *See, e.g., DP Wagner Mfg. Inc. v. Pro Patch System, Inc.*, 434 F. Supp. 2d 445 (S.D. Tex. 2006); *Accent Designs, Inc. v. Jan Jewelry Designs, Inc.*, 827 F. Supp. 957 (S.D.N.Y. 1993).

195. A party prevailing on a false marking claim can recover damages adequate to compensate for its injury. *See Hollander v. Ortho-Mcneil-Janssen Pharms., Inc.*, 2012 U.S. Dist. LEXIS 3191, at *3-4 (E.D. Pa. Jan. 10, 2012)

X. L’OREAL USA’S COUNTERCLAIMS FOR DECLARATORY JUDGMENT OF NON-INFRINGEMENT

A. Issues of Law to be Litigated

196. *See supra*, Section I.A.

B. Legal Authority

197. *See supra*, Section I.B.

XI. L’OREAL USA’S COUNTERCLAIMS FOR DECLARATORY JUDGMENT OF INVALIDITY

A. Issues of Law to be Litigated

198. *See supra*, Section II.A.

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B. Legal Authority

199. *See supra*, Section II.B.

EXHIBIT 6

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,)	
)	
Plaintiffs,)	
)	
v.)	C. A. No. 1:17-cv-00014-JFB-SRF
)	
L'ORÉAL USA, INC., L'ORÉAL USA)	
PRODUCTS, INC., L'ORÉAL USA S/D,)	
INC., and REDKEN 5 TH AVENUE NYC,)	
L.L.C.,)	
)	
Defendants.)	

EXHIBIT 6:
PLAINTIFFS' LIST OF WITNESSES TO BE CALLED TO TRIAL

Pursuant to Local Rule 16.3(c)(7), Plaintiffs and Counterclaim Defendants Liqwd, Inc. and Olaplex LLC (collectively, “Olaplex”) submit this list of witnesses to be called at trial.

Subject to the availability of each witness at the time of trial, Olaplex intends to call the following witnesses at trial, either by live testimony or by deposition. Olaplex reserves the right to revise, amend, supplement, or modify its List of Witnesses based on any pretrial rulings by the Court and/or to address any additional issues, arguments, evidence or other developments in the case, including edits to the draft pretrial order, any meet and confers or other negotiations between the parties, pending and anticipated motions, and similar developments. Olaplex reserves the right to amend its answering/rebuttal witness list, in view of events at trial or other developments, including evidentiary rulings or other rulings by the Court. Olaplex also reserves the right not to call any of the witnesses (either live or by deposition) set forth in the list below, or to call by deposition any witnesses listed as a live witness below, or vice versa. The identification of a witness on this list is not an admission that the witnesses’ testimony is admissible if called by L’Oréal, and Olaplex reserves their right to object to any witness or testimony that is objectionable or inadmissible. In addition to the witnesses identified below, Olaplex reserves the right to call anyone appearing on L’Oréal’s witness list or as a corporate representative at trial.

WITNESSES OLAPLEX INTENDS TO CALL TO TESTIFY LIVE AT A JURY TRIAL

1. Dean Christal
2. Dr. Eric Pressly
3. Dr. Craig Hawker
4. Tiffany Walden

5. Rivka Monheit
6. Tracey Cunningham
7. Vicki Laris
8. All Experts

II. WITNESSES OLAPLEX MAY CALL TO TESTIFY AT A JURY TRIAL (LIVE OR BY DEPOSITION)

9. Jordan Alexander
10. Gregory Auer
11. Eva Holz
12. Vanessa Schneider
13. Jeff Schwartz
14. Tyler Krebs
15. Joseph Santy
16. Sara Lim
17. Lisa Lorden
18. Reuben Carranza
19. Paul Shiraldi
20. Melissa Bacallao (a.k.a. Lisa Morris)

21. Leslie Marino
22. Leslie Warner
23. Roger Dolden
24. Gina Meggo
25. Steve Orzel
26. Paul Sharnsky
27. Fabien Boulineau
28. Kimberly (Hamilton) Dreher
29. Louis Zehil
30. Alan Gold
31. Courtney Tallman
32. Esther Vasquez
33. Sema Conde

EXHIBIT 7

EXHIBIT 7

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 17-14-JFB-SRF
)	
L'ORÉAL USA, INC., L'ORÉAL USA)	
PRODUCTS, INC., L'ORÉAL USA S/D,)	
INC. and REDKEN 5 TH AVENUE NYC, LLC,)	
)	
Defendants.)	
)	

EXHIBIT 7:
DEFENDANTS' TRIAL WITNESS LIST

EXHIBIT 7

Defendants and Counterclaimants L'Oréal USA, Inc., L'Oréal USA Products, Inc., L'Oréal USA S/D, Inc. and Redken 5th Avenue NYC, LLC (collectively "L'Oréal USA") hereby provide the following list of witnesses that it may call at trial, either live or by deposition testimony. L'Oréal USA submits these witnesses without waiving any of its rights, including the right to object to the calling of the below witnesses at trial. L'Oréal USA also reserves the right to revise, amend, supplement, or modify its Trial Witness List based on any pretrial rulings by the Court and/or to address any additional issues, arguments, evidence or other developments in the case. The identification of a witness on this list is not an admission that the witnesses' testimony is admissible if called by Olaplex LLC or Liqwd Inc. In addition to the witnesses identified below, L'Oréal USA reserves the right to call anyone appearing on any other party's witness list or as a corporate representative at trial. L'Oréal USA also reserves the right to call as rebuttal or impeachment witnesses any percipient or expert witnesses not identified on this Trial Witness List.

I. WITNESSES L'ORÉAL USA INTENDS TO CALL LIVE OR BY DEPOSITION

1. Jordan Alexander
2. Dean Christal
3. Roger Dolden
4. Kimberly Dreher
5. Stephan Habif
6. Evanice Holz
7. Vanessa Schneider
8. Paul Sharnsky
9. Tiffany Walden
10. Leslie Warner

EXHIBIT 7

11. All Experts

II. WITNESSES L'ORÉAL USA MAY CALL LIVE OR BY DEPOSITION

12. Greg Auer

13. Delphine Allard

14. Melissa Bacallao

15. Fabien Boulineau

16. Brad Champion

17. Sema Conde

18. Tracey Cunningham

19. Sherylle Englander

20. Alan Gold

21. Caroline Goget

22. Jonathan Goff

23. Craig Hawker

24. Richard Hough

25. Norman Ingraham

26. Edward Kimble

27. Tyler Krebs

28. Vicki Laris

29. Sara Lim

30. Lisa Lorden

31. Leslie Marino

32. Gina Meggo

33. Rivka Monheit

EXHIBIT 7

- 34. Steven Orzel
- 35. Eric Pressly
- 36. Mary Rector-Gable
- 37. Joseph Santy
- 38. Paul Schiraldi
- 39. Jeff Schwartz
- 40. Mark Spinks
- 41. Dustin Stone
- 42. Kerry Sullivan
- 43. Courtney Tallman
- 44. Esther Vasquez
- 45. Louis Zehil

EXHIBIT 8

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
4:20-23	REL, OBJ				
9:12-11:25					
12:11-16					
15:24-16:21					
18:19-20:16					
20:25-22:18	HRS				
23:9-20		23:3-8, 23:21-24:2	F, Spec		
25:3-23	SPC, ILO, HRS				
26:3-16	SPC, AA				
26:19-27:22	HRS	27:23-28:3, 28:8-9	F, Spec, 701		
28:10-16	SPC, HRS				
28:19-22					
29:25-30:16	SPC, ILO, HRS				
30:21-31:15	HRS	31:17-24, 32:3-5	F, Spec		
33:2-34:3					
34:24-36:23					
38:16-40:6		40:19-41:4, 41:8-10	F, Spec, V	41:11-13	
41:15-18	AMB				
41:20-22					
42:12-43:12					
45:6-20	INC	45:3-5, 45:21-25, 46:6-18			
47:13-16					
49:8-51:20					
52:21-54:24					
56:7-57:3					
65:22-66:6					
66:10-15		66:16-22	402		
68:13-69:12	INC, HRS	68:9-12, 69:13-15, 69:20-23	F, Spec, NR		
69:24-70:20		69:13-15, 69:20-23, 72:13-73:2	F, Spec, NR		
76:8-21	HRS	76:22-77:6, 77:10-11, 77:13-20	402		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
77:21-78:6	INC, HRS	78:10-11			
78:12-79:8					
81:20-22	AMB, HRS				
81:25-82:7					
84:7-14		83:14-17, 83:23-24, 84:15-17, 84:23-25	V, Hyp, 701		
85:2-17	HYP, ILO				
85:21-24		85:25-86:7, 86:19-21, 86:25-87:10, 87:13-15	F, Spec		
87:16-88:14					
89:9-90:4					
90:10-13		90:14-22, 91:2-3	F, Spec		
91:4-21	SPC, FND				
91:25-92:18					
92:24-93:5					
94:2-15	CPD, FND, AMB, HRS				
94:20-95:7	CPD, FND, AMB, HRS				
95:11-97:12		97:18-22			
97:24-98:15					
100:11-101:3	HRS	99:20-100:10, 101:4-8			
101:16-102:8					
105:17-21	INC	104:4-11, 104:18-105:2, 105:10-16			
106:4-6					
106:10-16	AMB				
107:8-111:14	MIS, ILO, FND, HRS				
112:5-113:3					
113:20-116:10	OBJ	117:19-20, 117:23-118:14	402		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
131:21-25	INC, FND, SPC	118:22-119:2, 119:7-12, 122:14-123:5, 128:12-129:4, 129:8-130:17, 130:20-131:8, 131:13-20, 132:5-6, 132:12			
133:9-136:22	HRS				
137:13-139:4	HRS				
139:19-140:5					
140:16-141:17		141:18-19, 141:22-23		141:24-142:3	INC, SPC, FND
142:6-146:16	OBJ				
146:21-147:16	MIS, FND, ILO				
147:21-148:18	MIS, AMB				
148:21-22	AMB, INC	148:25-149:2, 149:5-6	402		
149:7-150:2					
150:6-10					
150:19-151:5					
151:8-153:22					
154:19-157:11	OBJ				
158:17-159:9		159:23-160:4	402		
160:24-161:10					
162:17-23					
163:2-164:25	SPC, OBI				
165:6-166:23					
167:4-8	FND, AMB, ILO				
167:13-16					
167:19					
167:23-169:2					
169:8-21	HRS				
170:2-5					
170:10-14					
170:19-171:3					
173:11-175:12	INC, AMB, SPC, FND, HRS	173:2	I		
175:17-176:18	AMB, SPC				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
176:21					
180:5-181:6					
181:9-16		181:20-182:2, 182:5-20, 183:2	402, I	182:21	REL
185:3-16					
185:19-186:24	MIS, SPC, FNDHRS				
187:5-8					
187:12-19	AMB				
187:23-188:4	SPC				
188:7-16					
188:19-20					
188:25-190:5	AMB, HRS				
190:8-191:9	INC, LC, MIS, HRS	190:8			
191:15-16	LC, ILO				
191:20-192:6	LC, SPC, FND, HRS				
192:12-192:24	LC, SPC, FND, INC	193:10-14		193:15-20	OBJ, AMB, ARG, IMP
193:21-194:2	HYP, LC				
194:10-24					
195:9-196:4	HRS				
198:3-18	ILO, LC, FND, HRS				
199:4-15	HYP, FND, ILO				
199:20-200:18	SPC, FND				
200:22-201:15	SPC, FND				
201:20-202:4	SPC, FND				
202:6-19	SPC, HYP				
203:2-10	SPC, HYP				
203:15-19	SPC, ILO				
203:23-204:25	AA, SPC, HRS				
205:5-8		205:9-207:5	402		
207:8-20	ILO, SPC, FND				
207:25-209:7					
209:12-16					
209:20-210:2	SPC, FND				
210:16-211:25	HRS	210:10	I		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
212:5-10					
212:13-213:10	SPC, LF				
213:13-214:6					
214:18-215:3	HRS				
215:5-8	SPC, HRS				
215:12-19	MIS, AMB				
215:25-216:17	SPC				
216:20-217:18	AMB, SPC, FND, ILO, HRS				
217:24-218:12	MIS, SPC				
218:18-219:11					
219:17-220:22					
220:24-221:2					
221:5-18	SPC				
221:21-222:5					
222:16-24					
223:4-224:13	REL, SPC				
224:15-21	INC, MIS, REL	225:15, 225:23-226:3, 226:11-13	402, Spec		
227:5-228:10					
228:12-229:5	SPC				
229:8-13					
229:17-18					
229:25-233:22	OBJ, AMB, ILO, HYP, HRS				
234:3-235:7	AMB, SPC, HRS				
235:10-236:19	MIS, FND, SPC				
236:24-238:19	AMB, ARG, MIS,				
238:21	AMB, ARG, MIS,				
239:8-240:3		239:6-7			
240:6					
240:17-242:21	OBJ				
243:2-4					
243:8-17					
243:22-244:13	MIS, FND, ILO				
244:19-245:24	AA				
246:5-249:8	MIS, HRS				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
250:5-9	MIS				
250:14-20					
250:23-251:7					
251:12-253:3					
253:8-9					
254:3-257:2					
257:7-8					
257:11-261:12	HRS				
261:16-263:20	OBJ				
263:23-264:17					
264:22-265:8					
265:10-266:7					
267:25-269:4	SPC, FND				
269:7-9		269:10-17	402		
269:22-24	FND, SPC				
270:3-8	MIS, FND				
270:12-276:21	HRS				
276:25-277:3		277:4-8, 282:20-21, 282:24-283:6	402, 701	283:7-9, 283:13-16	FND, HRS, AMB
284:21-285:12					
285:16-21					
286:4-9					
286:13-288:2					
288:7-290:10					
290:25-292:2	OBJ				
294:24-296:7					
296:10-297:19	FIRS				
297:23-298:4					
298:7-11					
298:20-299:13					
299:18-304:7	OBJ				
304:10-305:23	AMB				
305:25					
306:5-12	AMB, ILO				
306:17-308:2					
308:6-310:7					
310:11-17					
311:4-312:23					
313:4-15					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Fabien Boulineau, Ph.D.</u> September 28, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
313:21-315:12	OBJ				
316:4-9					

<u>Brad Champion</u> May 4, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
39:2-39:14					
42:11-44:3	OBJ				
50:11-51:3					

<u>Tracey Cunningham</u> December 17, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
148:17-154:4	INC	154:18-155:3, 156:5-23, 157:3-12, 157:17-158:4, 158:13-18, 159:9-22	H, 402, 403	155:4-156:23; 114:7-115:9	IMP, OBJ

<u>Roger Dolden</u> September 26, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
14:7-15:7					
27:21-28:24					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Roger Dolden</u> September 26, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
29:11-29:20					
29:21-32:22	REL, 403				
37:9-71:18	FIRS, REL, 403				
72:17-79:20	HRS, REL, 403				
81:9-82:18					
84:7-85:20	HRS, REL, 403				
86:22-97:17	HRS, REL, 403				
97:20-100:18	REL, 403, HRS				
100:19-110:4	HRS, REL, 403				
110:5-111:8	FIRS, REL, 403				
111:24-113:21	HRS, REL, 403				
114:2-117:24	FIRS, REL, 403				
119:22-120:20	HRS, REL, 403				
121:8-121:12	HRS, REL, 403				
121:13-123:20	FIRS, REL, 403				
124:8-131:16	HRS, REL, 403				
132:7-133:20	HRS, REL, 403				
136:20-137:8					
137:9-137:25	REL, 403				
138:2-140:2	REL, 403				
147:19-148:19	REL, 403	146:18-147:18			
149:9-156:11	HRS, REL, 403				
157:22-158:8	REL, 403				
158:9-159:16					
160:12-161:6					
161:21-168:10	HRS, REL, 403				
168:22-169:10					
169:22-173:21	HRS, REL, 403				
173:22-180:3	HRS, REL, 403				
180:17-190:20	REL, 403				
190:21-204:16	HRS, REL, 403				
205:16-206:3					
206:4-207:19					
209:2-210:20	HRS, REL, 403				
210:21-226:7	PRV, REL, 403, HRS				
226:17-238:4	PRV, HRS, REL, 403				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Roger Dolden</u> September 26, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
241:3-246:10	PRV, REL, 403, HRS	290:9-14, 290:16	V; Noquestionpendi ng; MovetoStrike		
246:20-251:25	PRV, HRS, REL, 403, MIS, AUTH				
252:20-253:11					
254:11-255:10	HRS, REL, 403				
255:11-270:12	HRS, REL, 403, PRV				
272:3-283:7	HRS, REL, 403				
283:16-285:15					
319:5-331:21	HRS, REL, 403, AUTH, PRV, FND, SPC, MIS	312:8-14, 312:17-19, 312:21, 312:23- 313:5, 313:8-11	312:8- 14and312:17- 19:NC, V, 611, SPC, Hyp, NR, MovetoStrike 312:21, 312:23- 313:5, 313:8- 11:NC, AF, V, C, 611, SPC, Hyp, NR, MovetoStrike		
326:15-326:23	HRS, REL, 403				

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
5:16-8:14	30(b)(6)				
9:2-13	30(b)(6)				
9:16-17	30(b)(6)				
9:20-24	30(b)(6)				
10:3-5	3((b)(6)				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
10:8-10	30(b)(6)				
10:15-19	30(b)(6)				
10:21-24	30(b)(6)				
11:3-9	AMB, 30(b)(6)				
11:12-16	30(b)(6)				
11:18-22	30(b)(6), INC	12:5-6	402, NR		
11:5-6	INC, AMB, 30(b)(6)				
17:10-12	PRV, 30(b)(6)	17:3-9	402, 403		
17:15-22					
18:9-14	MIS, AMB, FND				
18:16-18	MIS, AMB, FND				
18:20-19:11	MIS, 30(b)(6), AMB, SPC				
19:14-24	30(b)(6), AMB, SPC, FND				
20:3-8	30(b)(6), AMB, SPC, ILO				
20:11-12	30(b)(6), ILO, SPC, FND				
20:15-21	ILO, LC, AMB, 30(b)(6)				
20:23-24	30(b)(6), LC, AMB, SPC, FND				
21:3-22:3	MIS, 30(b)(6), AMB				
22:10-13	MIS, 30(b)(6), AMB				
22:17-23:15		23:16-25:7, 25:14-18, 25:20-26:17	402, NR		
27:9-15	AMB, FND, SPC				
27:17-29:5	AMB				
29:7-11	MIS, SPC, AMB, FND				
29:13-31:4	MIS, AMB, FND				
31:6	MIS, AMB, FND				
31:8-20	AA, AMB, FND				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
31:23-32:5		32:6-20, 32:22-33:11, 33:14-15, 34:5-16, 34:18-25, 35:3-11, 35:13-24, 36:2-3, 36:5-38:10, 38:13-10, 38:13-39:3, 39:6-12, 39:15-18	402		
39:19-40:14		32:6-20, 32:22-33:11, 33:14-15, 34:5-16, 34:18-25, 35:3-11, 35:13-24, 36:2-3, 36:5-38:10, 38:13-10, 38:13-39:3, 39:6-12, 39:15-18	402		
40:16-42:21	AMB	42:22-23, 42:25-43:6, 43:8-12_43:14-15			
43:16-23	AMB				
44:3-45:23	30(b)(6), AMB, SPC, FND, FIRS				
46:2-48:4	HRS, AMB, MIS, SPC	48:8-13, 48:15-16, 48:18-23, 48:25-49:6	402, F, Spec		
48:6-7		48:8-13, 48:15-16, 48:18-23, 48:25-49:6	402, F, Spec		
49:7-9		49:10-17, 49:19-50:6, 50:8-11, 50:13-19, 50:22-23, 51:7-15	402, F, Spec		
51:25-52:10		52:11-14, 52:16-17	402		
52:18-53:8	AMB				
53:10-19	AMB				
53:21-24	AMB, MIS	54:2-4, 54:6-7	402, NR		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
54:8-9	AMB, SPC, FND				
54:11-24		54:25-55:6	402, F, Spec		
55:7-9	AMB, SPC, MIS, FND				
55:11-12	ABM, SPC, MIS, FND				
55:13-56:5	ABM, SPC, MIS, FND, OJB	56:6-57:4, 57:8-25, 58:3-59:3	402		
59:5-8	AMB				
59:10-60:3	AMB				
60:5-61:11	AMB				
61:13-20	AMB, SPC, FND				
61:22-62:11	AMB, FND				
62:13-19	30(b)(6), AMB, FND				
62:22-63:7					
63:13-15					
63:20-64:10	SPC, AMB, FND, HRS				
64:12-16	30(b)(6), FND, SPC, AMB				
64:19-25	30(b)(6), FND, SPC, AMB				
65:4-7	30(b)(6), FND, SPC, AMB				
65:10-18	30(b)(6), FND, SPC, AMB, HRS				
65:20-23	30(b)(6), FND, SPC, AMB				
66:2	30(b)(6), FND, SPC, AMB				
66:4-7	30(b)(6), FND, SPC, AMB				
66:10-12	30(b)(6), FND, SPC, AMB				
66:15-67:5	AMB, HRS				
67:7-18	AMB, SPC, FND, HRS				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
67:20-68:9	30(b)(6), AMB, SPC, FND				
68:12-69:11	AMB, HRS				
69:13-70:20	AMB, SPC, FND, HRS				
70:22-71:22	30(b)(6), SPC, FND, AMB				
71:25-72:5	30(b)(6), SPC, FND, AMB				
72:8-9	AMB				
72:12-73:3	HRS, AMB				
73:5-74:15	30(b)(6), SPC, FND, AMB, INC				
74:18-25	AMB, HRS, INC				
75:7-24	HRS, MIS, AMB, INC				
76:2-77:15	AMB, HRS, INC				
77:17-79:23	AMB, MIS, INC, HRS				
79:25-81:9	AMB, MIS, FND, HRS, INC,				
81:11-22	30(b)(6), HRS, INC	105:4-7, 105:10-12, 105:15-17, 105:20-21, 105:24-106:2	402, F, Spec, NR		
81:25-82:4	30(b)(6), HRS				
82:6-13	30(b)(6), MIS, FND, AMB, LC, HRS				
82:16-83:4	30(b)(6), AMB				
83:7-10	30(b)(6), MIS, FND				
83:13-15	30(b)(6), MIS, FND				
83:19-21	30(b)(6), MIS, FND, AMB				
83:23-84:3		84:4-5, 84:8-10, 84:12-14, 84:17-19	402, F, Spec		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
85:9-11	AMB	84:20-22	402		
85:13-86:17	HRS, 30(b)(6), CPD, SPC				
86:20-87:5	HRS, SPC, 30(b)(6), FND				
87:8-16	SPC, AMB				
87:18-23	AMB, SPC				
87:25-88:9	BER, OJB	88:19-20			
88:23-89:8	HRS, SPC, AMB, 30(b)(6), FND				
89:13-17	HRS, SPC, AMB, 30(b)(6), FND				
89:20-21	HRS, SPC, AMB, 30(b)(6), FND				
89:24-90:5	SPC, AMB, 30(b)(6), FND				
90:8-12	SPC, AMB, 30(b)(6), FND				
90:15-17	SPC, AMB, 30(b)(6), FND				
90:20-23	SPC, AMB, 30(b)(6), FND				
91:2-5	SPC, AMB, 30(b)(6), FND				
91:8-10	SPC, AMB, 30(b)(6), FND, LC				
91:14-19	SPC, AMB, FND				
91:24-25		92:15-16, 92:19-22, 92:25	402, F, Spec	92:2-9, 92:12-14	30(b)(6)
93:18-94:5	INC, HRS, 30(b)(6), SPC, FND	93:16-17			
94:8-13	HRS, 30(b)(6), SPC, FND				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
94:18-23	HRS, 30(b)(6), SPC, FND				
95:2-6	HRS, 30(b)(6), SPC, FND				
95:9-17	HRS, 30(b)(6), SPC, FND				
95:21-24	30(b)(6), SPC, FND				
96:2	30(b)(6), SPC, FND				
96:4-11	HRS, 30(b)(6), SPC, FND				
96:16-20	HRS, MIS, 30(b)(6), SPC, FND				
96:23-97:5	HRS, MIS, 30(b)(6), SPC, FND				
99:9-14	HRS, MIS, 30(b)(6), SPC, FND				
99:18-100:7	HRS, MIS, 30(b)(6), SPC, FND				
100:13-22	HRS, MIS, 30(b)(6), SPC, FND				
100:25-101:2	MIS, 30(b)(6), SPC, FND				
101:8-12	HRS, MIS, 30(b)(6), SPC, FND				
101:15-102:2	HRS, MIS, 30(b)(6), SPC, FND				
102:5-10	HRS, MIS, 30(b)(6), SPC, FND, AMB				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
102:13-16	MIS, 30(b)(6), SPC, FND, MIS				
102:20-103:7	MIS, 30(b)(6), SPC, FND				
103:10	30(b)(6), SPC, FND				
104:9-16	HRS, 30(b)(6), SPC, FND, INC	104:19, 105:4-7, 105:10-12, 105:15-17, 105:20-21, 105:24-2	402, F, Spec, NR		
106:3-106:23	HRS, 30(b)(6), AMB				
107:2-3	30(b)(6), SPC, FND				
107:6-17	HRS, FND, 30(b)(6), SPC				
107:20-108:4	HRS, FND, 30(b)(6), SPC				
108:7-109:12	HRS, FND, 30(b)(6), SPC				
109:15-110:4	HRS, FND, 30(b)(6), SPC	110:5-6, 110:8-111:12, 111:18-19	402, F, Spec		
111:20-113:19	HRS, SPC, FND, 30(b)(6)				
113:21-24	HRS, FND, 30(b)(6), SPC				
114:10-115:11	SPC, AMB				
115:13-17		115:18-21, 115:24-116:6, 116:8-19	402, NR		
116:21-23		115:18-21, 115:24-116:6, 116:8-20	402, NR		
116:25-118:16	HRS, 30(b)(6), SPC				
118:18-120:8	HRS, 30(b)(6), SPC	120:9-19	402		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
120:24-121:20	SPC, FND				
121:22-122:2	SPC, FND				
122:4-7	SPC, FNDAMB				
122:9-123:7	HRS				
123:15-17					
123:20-125:20	SPC, FND, AMB, MIS				
125:22-128:18	HRS, SPC				
129:2-15	MIS, AMB				
129:19-130:12	REL	131:24-132:3, 132:6-8	402		
132:10-134:7	INC, SPC, HRS, 30(b)(6)				
134:11-24	HRS, 30(b)(6), CMP				
135:3-6	30(b)(6), AMB, FND, SPC				
135:9-137:9	HRS, SPC, 30(b)(6), FND				
137:11-138:5	HRS, MISC, SPC				
138:7-9	AMB, SPC, FND, 30(b)(6)	138:10-12, 138:16-18	402		
138:19-139:6	HRS, CMP, AMB, SPC, FND, 30(b)(6)				
139:8-15	30(b)(6), SPC, AMB, FND				
139:18-21	30(b)(6), SPC, AMB	140:4-9, 140:20-22, 140:25	402, F, Spec, I		
145:5-146:15	HRS,	146:16-17, 146:19-21	402, F, NR		
146:22-147:3	MIS				
147:5-18	SPC, 30(b)(6), FND				
147:22-148:4					
6:4-14					
6:22-7:2					
8:10-9:7					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
10:8-15	OBJ	16:7-22, 17:6-18:4	402		
10:25-12:21					
13:7-14:9					
20:2-10	FND, LC, 30(b)(6)				
20:18-21:3					
21:5-10	CPD				
21:13-19					
21:25-22:9					
22:11-15	FND				
22:18-23					
23:6-13					
23:16-22					
24:4-9					
24:15-17					
26:18-27:20	INC	27:21-23, 28:2-15, 28:22-29:4, 29:11-20, 30:2-3	402, 602, F, Spec	28:16-21, 29:5-6	
30:4-21		31:6-22, 32:10-35:17	402, 701, I	32:2-3	
35:18-22	AMB, FND,				
36:2-24					
37:3-14					
37:17-38:5					
38:8-39:21	MIS, AMB				
39:25-40:11	AMB				
40:13-17					
40:19-41:7					
41:10-42:7	AMB, FND				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
42:10-13	AA	42:14-15, 42:18-19, 43:2-4, 43:11-13, 43:11-16, 43:13-22, 44:12-17, 44:20-22, 44:25-45:14, 45:21-46:9, 46:19-47:23, 31:6-22, 48:19-51:17, 52:15-19, 53:3-20	402, I, 701, NT, NR	43:23-44:2, 44:9-11	FND, SPC, 30(b)(6)
53:21-54:10		54:11-55:7, 55:13-56:1	402, I	55:11-12	
56:3-4					
56:13:15					
56:22-23		56:24-25, 57:3-6, 57:8-9, 57:11-20, 57:22-25, 58:3-6	402, F, Spec		
58:7-12					
58:21-59:23		60:18-23, 61:3-62:2, 62:15-63:15, 63:21-64:21, 65:4-10, 65:13-66:4, 66:6-68:4, 68:12-16	I, NT, Spec		
68:17-70:11		70:12-14, 70:16-71:12	402, NR		
71:13-16					
71:23-72:12					
72:16-23	AMB, MIS				
73:2-3	AMB				
73:5-8	AMB				
73:10-14					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
73:16-20		73:21-23, 74:5-25, 76:3-12, 75:14, 75:18-77:2, 77:11-20, 77:24-78:22-25, 79:3-13, 79:20-23, 79:25-80:4, 80:8-12, 80:16-17, 80:23-81:11	F, Spec	80:13, 80:15	AA
82:4-6	AMB				
82:17-83:22	MIS, AMB				
84:2-18		84:19-24, 85:3-9, 85:11-15, 86:4-89:5, 89:7-20	402, 602		
89:21-25	AMB				
90:3-9		90:10-13, 90:18-91, 91:11-22	402, F, Spec, I, NT		
91:23-92:3					
92:10-93:13					
93:17-94:3					
94:6-11					
95:9-96:9					
96:13-19					
96:21-97:2					
97:13-23					
98:3-16		98:17-21, 98:23-99:3	402, F, Spec		
99:4-11		99:12-14, 99:17-100:2			
100:3-101:23	AMB				
101:25-102:22	AMB, MIS, SPC				
103:2-14					
103:16-104:20	FND, SPC				
104:24-105:7		105:8-13, 105:17-24	402		
105:25-106:18	SPC				
106:21-107:2					
107:5-12					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
107:14-15		108:19-109:7, 110:5-23, 111:4-12, 111:20-112:6		109:8-11, 109:15-20	AMB, OBJ
112:7-11	MIS, SPC, FND				
112:22-114:20					
114:23-25		115:2-4	F		
115:5-13					
115:15					
115:17-116:8	MIS				
116:12-25	SPC				
117:6-10	SPC				
117:15-18					
117:21		117:22-24, 118:3-10	Spec		
118:11-17					
118:23-119:6		119:7-16, 119:18, 119:21-22, 119:24-120:10	402, F	120:11-13, 120:20-21	AMG, SPC, 30(b)(6)
123:4-9		120:22-121:9, 121:15-21, 122:2-8, 122:22-123:3	402	120:12	INC, OBJ
123:19-124:2		124:3-8, 124:11-13	402, F		
124:14-16	AMB				
124:18-125:5	AMB				
125:8-126:10	AMB				
126:12-16	AMB,				
126:18-127:13					
127:19-21					
127:24-128:12					
128:17-22		129:4-7, 129:11-25	402, F, NR		
131:8-132:15	AMB, SPC				
132:18-133:5	AMB, SPC				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
133:8-15		134:4-17, 134:20-21, 134:5-4, 135:12- 136:22, 136:24- 137:22, 137:24- 139:3	402, I, NT		
139:4-18					
139:20-23					
139:25-140:6					
140:12-25	AMB				
141:4-142:12	FND				
142:15-143:4	MIS, AA, AMB				
143:10-25		144:2-6, 144:9- 12, 145:6-8, 145:10-12, 146:10-147:6	402	144:7-8, 144:13, 145:9	
151:12-152:15					
152:17-24					
153:2-19					
153:21-154:4					
154:6-156:4					
156:7-158:11					
158:22-160:25					
161:17-162:9	OBJ				
162:16-18					
163:13-14					
163:19-167:14	MIS, AMB				
167:17-168:9		158:10-169:13	402, I, NT		
169:14-20					
169:24-170:5					
170:18-20					
170:23-172:6					
172:8-10	AMB	172:20-173:6	402, F, Spec	172:11-14	
173:7-9					
173:11-174:7					
174:10-16					
174:18-175:19					
176:2-20	AMB				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
176:23-178:23	MIS, FND				
179:2-182:16					
182:22-183:11					
183:14					
184:3-185:18	MIS, FND				
185:21-187:13					
187:16-188:3					
188:8-25					
189:6-14					
189:19-190:23	SPC				
191:2-15		191:16-192:4	402		
192:22-195:23		195:24-196:3, 196:5-7	402, F		
196:8-22	MIS				
197:2-18					
197:22-199:22	AMB, OBJ, CMP				
199:24-200:2	AMB, CMP, SPC				
200:5-203:15					
204:2-4		204:5, 204:10-11, 204:17-21, 205:2-13, 205:22-206:7, 207:21-208:7, 208:16-20,			
208:21-209:5					
211:13-214:2					
214:5-18		214:19-22, 214:24-215:7, 215:10-216:10, 216:14-217:3	601, F, Spec		
217:4-9	SPC				
217:12-218:2					
218:4-17		218:19-22, 219:6-15, 219:18-220:5, 220:8-25, 221:5-14, 221:21-222:2	402, NR		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
222:3-22	SPC				
223:2-15	SPC				
223:18-24	AMB, SPC				
224:7-15					
224:24-225:9	SPC				
225:19-25					
226:8-14					
226:24-227:6	SPC, MIS				
227:16-24	MIS, SPC				
228:11-229:17					
230:9-19	CMP, AA,				
230:24-25	CMP, AA				
231:19-232:3		232:5-8, 232:13-17, 232:23-233:9, 233:11-17, 233:23-235:6	402, F, Spec	232:18-19, 232:21-22	AMB
235:7-13					
235:15-22	FND, AMB				
235:24-236:6	FND, AMB				
236:8-18	LC, AMB, SPC, ILO				
236:25-237:14					
237:22-25	AA, SPC, ILO, AMB				
238:3-239:8	SPC, FND, HYP				
239:10					
239:14-21	FND, SPC, MIS				
239:25-240:9					
241:2-24	FND, SPC				
242:4-17	MIS, FND, CMP				
242:20-243:5	SPC				
243:8-12	AMB, SPC, FND				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
243:16-244:2		244:3-4, 244:7-13, 244:16-22, 245:5-13, 245:21-246:9, 246:16-247:5, 247:7-248:4, 248:9-249:3, 249:7-250:13	701, F, Spec		
252:13-253:6		253:16-19, 254:8-11	402, I	253:7-15	
254:12-14					
254:16-255:11	MIS				
255:15-257:10	ILO, 30(b)(6), SPC, AMB				
257:17-258:23	MIS				
259:4-13	SPC, FND				
259:20-261:9	SPC, FND				
261:16-262:3	SPC, FND				
262:12-263:7	MIS, SPC, FND, AMB				
263:17-264:6	MIS				
264:10-13					
264:18-265:12	HYP, ILO, SPC, FND, AMC				
265:21-25					
266:9-20					
267:4-24	FND				
268:3-17		268:18-21, 268:23-269:19, 270:6-271:4, 271:7-12, 271:16-23, 272:5-8	402, F, Spec		
272:14-23					
273:2-23	MIS, FND				
274:3-11					
274:15-275:8					
275:24-276:20	SPC				
276:23-277:17	SPC				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Kim Dreher (Hamilton)</u> May 22, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
277:25-279:6	FND, MIS, SPC				
279:12-280:3	MIS, SPC				
280:6-19	SPC				
280:22-281:13					
281:15-286:9	SPC				
286:12-287:9					
287:23-292:5	MIS				
292:9-19	AA				
292:22-294:21		294:22-25, 295:7-25, 296:7-8, 296:10-19	402, F, Spec, 602, I	295:2	
296:25-298:18					
299:5-25					
300:4-16					
301:9-22	AMB, FND, MIS				
301:25-302:6	AMB				
302:9-19					
302:22-305:2	AA				
305:6-13	CMP				
305:20-306:6					
306:8-20	MIS, AMB				
306:22-307:2					

<u>Craig Hawker, Ph.D.</u> March 28, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
7:14-23		7:25-8:1, 8:4-13, 8:21-9:9	402; 403		
22:5-7		21:21-22:4, 22:8-12, 22:15-16, 22:18-23:1, 23:13-24:25:1, 25:9-12, 26:9-18, 28:4-15, 29:9-11,	701(re:patentlaw); Spec; 402; 403; M	34:17-24; 35:6-25; 36:8-37:1	

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Craig Hawker, Ph.D.</u> March 28, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
		30:17-31:20, 33:5-34:16, 46:1-6, 46:8, 116:5-119:8, 119:12-127:9, 127:12-13, 127:15-21			
23:2-7					
49:4-52:5		48:14-49:3			
52:19-54:12		54:13-16			
56:14-17		56:18-25, 87:19-92:7	402; 403		
57:1-3		57:4-19, 58:1-59:8, 59:12-17, 128:20-131:19,	402; 403		
59:18-60:5					
65:13-16		65:20-21, 65:23-66:8			
66:9-67:6		67:7-19			
67:24-69:10		69:11-71:5, 71:24-72:6, 72:9-23, 73:1-4, 73:18-20,	Spec; 602		
74:7-19		73:14-16, 74:20-23, 75:13-23, 76:3-10, 76:14-16, 77:14-15, 77:18-19	Spec; 602; I	73:7-17	
78:20-81:2		77:20-78:19			
81:10-23		82:1-84:3	V; M		
84:24-87:9		84:3-23	I		
92:23-93:4		92:12-22, 93:5-7, 93:9-94:8			
95:1-3		94:14-25, 95:4-14, 95:23-96:1, 96:8-97:2, 97:20-98:17	Spec; M		
99:2-101:3		98:19-22, 102:-103:20	I	101:13-25	INC, IMP
103:21-105:21		105:22-106:10, 106:24-107:6			

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Craig Hawker, Ph.D.</u> March 28, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
107:7-111:24		112:2-14			
112:18-113:14					
113:19-115:25		116:5-14			
134:11-137:7		131:22-133:23, 134:10, 137:8-138:15	I		
138:16-140:5		140:6-25, 141:7-17, 141:23-13, 142:20-143:3, 143:6-23			
144:6-147:12					

<u>Craig Hawker, Ph.D.</u> December 20, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
6:15-21					
7:4-9:15					
11:18-13:8					
15:3-6					
15:10-16:11					
16:16-17:18					
17:19-18:23					
18:24-21:10					
21:11-22:9					
23:24-24:3					
24:7-25:17					
26:1-13					
28:2-5					
28:11-29:5					
29:8-13					
29:23-25					
30:6-31:13					
31:18-22					
31:24-33:19					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Craig Hawker, Ph.D.</u> December 20, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
34:3-6					
34:10-12					
34:22-35:22					
35:25-37:11					
37:22-39:12					
39:16-40:12					
40:18-41:8					
41:10-42:14					
43:13-44:6					
44:13-45:3					
45:23-47:1					
47:7-49:10					
49:14-51:3					
51:9-17					
51:19-21					
51:24-55:18					
56:25-57:6					
57:10-58:7					
63:12-65:4					
65:10-66:23					
67:7-11					
67:17-21					
67:14-25					
68:14-25					
69:21-71:4					
71:11-74:4					
74:11-15					
80:9-22					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p align="center"><u>David Hernand</u> December 19, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
7:22-8:13	Daubert, REL, 403	5:16-17			
8:24-9:9	Daubert, REL, 403				
9:11-9:16	Daubert, REL, 403				
11:9-11:12	Daubert, REL, 403				
11:13-11:16	Daubert, REL, 403				
11:22-11:25	Daubert, REL, 403				
12:1-12:11	Daubert, REL, 403				
12:22-13:7		13:9-14:3	H, 402, 403		
14:8-14:20		15:2-4 15:6	H, 402, 403		
15:22-16:2		15:18-21	H, Spec, F, 402, 403		
17:4-17:9					
17:11-17:19					
19:10-19:19					
22:15-22:17	Daubert, REL, 403				
24:25-25:11	MIS, OBJ				
25:13-26:11					
26:13-27:2	FND				
31:2-31:19					
31:20-33:5	HRS, Daubert, REL, 403, SPC				
33:6-33:13					
34:5-34:8					
35:12-36:1					
36:2-37:3	Daubert, REL, 403				
37:4-37:17					
37:18-38:3	INC				
38:6-38:11	INC, SPC, FND				
39:12-39:18					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p align="center"><u>David Hernand</u> December 19, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
39:19-40:18					
40:19-40:24					
43:11-43:15					
44:1-44:11					
44:12-45:1					
47:9-47:15					
51:14-51:15					
51:17-51:20	OBJ				
52:1-52:3					
52:10-52:10					
52:18-53:6	OBJ				
53:8-53:13					
53:23-54:2	ARG, MIS, REL				
54:24-55:16	OBJ				
55:18-56:8					
56:14-57:3					
57:4-57:20					
59:20-60:24	HRS				
60:25-61:9					
61:25-62:20					
62:21-63:23					
63:24-65:3	HRS, SPC				
65:23-66:7					
66:8-66:13					
66:14-66:17					
66:21-66:25					
67:2-67:5					
67:6-67:9					
67:21-68:1	FND, SPC, CPD				
68:4-68:4	INC, FND, SPC				
69:1-69:4					
69:5-69:21	HRS				
70:2-70:16					
70:18-70:21					
70:22-71:3	HRS				
71:13-71:22	Daubert, REL, 403				
72:1-72:1					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p align="center"><u>David Hernand</u> December 19, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
72:9-72:18					
73:12-73:15					
74:16-74:20					
75:5-75:7					
76:6-76:17					
76:17-76:23					
77:16-78:7					
79:13-79:19					
81:2-81:5					
81:6-81:16	HRS				
81:21-82:9					
82:10-82:24	SPC, FND				
83:5-83:21	HRS				
83:22-84:7	HRS				
84:18-84:24					
85:1-85:3	Daubert, REL, 403				
85:21-86:2	Daubert, REL, 403				
87:18-87:22	Daubert, REL, 403				
92:13-92:15					
94:25-95:14	Daubert, REL, 403, OBJ				
96:2-96:11	Daubert, REL, 403, OBJ				
96:13-97:5	Daubert, REL, 403, OBJ				
97:7-97:16	Daubert, REL, 403, INC				
97:18-97:19	INC, Daubert, REL, 403				
97:21-98:1	INC, Daubert, REL, 403				
98:3-98:16	INC, Daubert, REL, 403				
98:18-98:22	INC, Daubert, REL, 403				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>David Hernand</u> December 19, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
98:24-98:24	INC, Daubert, REL, 403				
99:16-100:14	Daubert, REL, 403, INC				
100:18-100:18	INC, Daubert, REL, 403				
100:20-101:16	Daubert, REL, 403				
103:16-103:21	Daubert, REL, 403				

<u>Edward Kimble (Gelest Rule 30(b)(6))Vol 1</u> March 07, 2019					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
24:13-24:17					
29:12-30:1					

<u>Edward Kimble (Gelest Rule 30(b)(6))Vol 2</u> March 22, 2019					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
143:1-143:8	OBJ	142:4-15, 142:17, 142:19-21, 142:24	402; 403; AF; F		
145:15-145:25					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> May 11, 2017</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
5:17-5:23		7:4-5			
7:21-7:25					
8:10-8:15					
9:20-10:8	INC	9:19			
16:2-16:10		15:16-25	F, 402, 403		
33:24-34:22		33:15-23			
35:9-35:18		35:4-6, 35:19-21, 35:24-25	Spec, F, 402, 403, 701		
36:7-36:23	30(b)(6)				
37:2-37:2					
37:7-37:16		37:3-6			
40:16-40:22		38:9-39:18, 40:7-15	Spec, F, 402, 403		
40:25-43:25					
44:2-44:8		44:16-45:12			
47:17-47:23		47:24-48:6, 48:13-49:3			
49:4-49:6	30(b)(6)				
49:9-49:10					
49:11-49:14					
49:17-49:18					
58:10-58:11		54:16-55:6			
58:17-58:25	FND, HRS				
59:2-59:22		60:2-23, 61:2-7, 61:9-19	H, Spec, 402, 403		
59:23-59:25					
63:16-64:2		61:22-62:13, 62:23-63:15			
64:3-64:21					
64:22-64:24					
65:4-65:5					
65:11-65:15					
67:6-67:15		67:16-24	F, 402, 403		
68:2-68:6		68:7-16	Spec, F, 402, 403		
68:17-69:9					
69:10-69:17					
71:8-71:19					
75:17-75:20	HRS				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Leslie Marino</u> May 11, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
76:4-76:11		76:12-20			
76:21-77:10					
77:11-77:14	MIS, FND, SPC				
77:17-77:21					
77:22-78:12					
78:22-79:2					
79:3-79:25		80:2-17, 80:22-25, 81:4-6			

<u>Leslie Marino</u> June 12, 2019					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
17:25-20:6		5:16-6:6, 9:22-25, 16:3-20			
21:9-22:8		24:5-25:3			
23:9-24:4					
25:4-26:8					
35:14-35:24		34:2-16, 35:6-13	Spec, F, 402, 403		
35:25-36:13					
60:11-62:22	FDN, SPC	52:21-53:21, 53:23-54:16, 54:18-55:6, 59:5-60:10	H, F, 402, 403		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> December 14, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
22:10-22:14		5:8-9		23:15-27:16	IMP, 30(b)(6), FND, SPC, LC, OBJ, AMB
22:15-22:20					
27:17-28:4	30(b)6, FDN, SPC				
28:9-28:13					
28:14-29:23					
29:25-31:11					
32:7-32:18		32:19-24			
32:25-33:23					
33:25-34:7					
34:21-35:17					
35:19-37:6					
37:10-37:16	INC, 30(b)(6)				
37:23-40:10	INC, 30(b)(6)				
40:14-46:8	INC, 30(b)(6)				
46:11-47:13	INC, 30(b)(6)	47:21-22, 47:24-25			
47:23-47:23	INC, 30(b)(6)				
48:2-48:2					
48:3-50:8					
50:9-50:12	INC, 30(b)(6)				
50:15-50:15	INC, 30(b)(6)				
50:17-50:23	INC, 30(b)(6), FDN, SPC				
51:3-51:6	INC, 30(b)(6), FDN, SPC				
51:9-51:13	INC, 30(b)(6), FDN, SPC				
51:21-55:18	INC, 30(b)(6), FDN, SPC				
56:5-57:25					
58:3-63:21					
63:23-75:19					
75:21-78:5		78:6-12			
78:23-79:19					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> December 14, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
79:20-80:6	30(b)(6), LC, FND, SPC, HYP				
80:15-80:17	INC, 30(b)(6), LC, FND, SPC, HYP				
80:23-81:9	INC	81:10-23	Spec, F, 402, 403		
82:19-85:17	INC, 30(b)(6), FND, SPC				
85:22-88:6					
88:13-88:17	HRS				
89:7-91:9					
91:17-92:20	INC, 30(b)(6), HRS				
93:3-94:5	INC, 30(b)(6)				
94:7-94:7	INC, MIS, 30(b)(6)				
94:10-94:17	INC, MIS, 30(b)(6)				
94:22-96:9	INC, 30(b)(6)				
96:13-97:2	INC, 30(b)(6)				
97:6-97:16	INC, 30(b)(6)				
97:24-98:3	INC, 30(b)(6)				
98:9-98:23	INC, 30(b)(6), FND, SPC				
99:3-99:6	INC, 30(b)(6), FND, SPC				
99:7-99:25		100:2-6, 100:10-11		100:12-16	
100:23-105:18	INC				
105:21-107:25	INC				
108:2-109:5	INC, 30(b)(6)				
109:9-111:2	INC, 30(b)(6)				
111:3-111:12					
111:18-113:17					
113:20-116:4					
116:5-119:25	HRS, FND	120:2-4			
120:5-121:13					
121:16-122:13	INC, MIS, AA				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> December 14, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
122:21-123:20	INC, MIS, AA				
123:23-124:17	INC, AA				
124:23-124:23	INC, AA				
125:9-126:16					
127:13-130:20	INC, FND, SPC, AMB, 30(b)(6)				
131:6-131:14	INC, FND, SPC, AMB, 30(b)(6)				
131:17-134:11					
134:13-134:16	HRS, FND	136:4-6			
136:11-136:15		136:16-18, 136:21-137:9			
137:11-140:23					
144:17-144:18	HRS, FND, 30(b)(6)	145:7-10, 145:17-18			
147:5-147:17	HRS, FND, 30(b)(6)				
148:23-151:4	HRS, FND, 30(b)(6)				
151:5-151:17	HRS, FND, 30(b)(6), INC				
151:21-151:21	INC, HRS, FND, 30(b)(6)				
153:3-154:3					
154:10-155:16	INC, HRS				
156:4-156:16					
156:17-156:22					
156:23-156:25	INC, FND, SPC, AMB				
157:4-157:6	INC, FND, SPC, AMB				
158:14-158:16					
159:14-159:21					
160:19-160:23		160:24-161:16, 163:25-164:12			
175:14-176:12					
176:14-176:16					
176:18-176:20					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> December 14, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
183:19-184:13		184:14-19, 186:11-18		184:20-23	
184:24-185:8					
191:23-193:24		189:21-25, 190:9-11, 190:17-22			
194:2-195:24					
197:6-198:16		198:17-199:4			
200:9-200:18					
202:11-203:6					
205:10-205:23					
208:17-209:9					
212:20-216:6					
218:24-220:4					
220:5-221:10	INC, 30(b)(6)				
221:15-221:21	INC, 30(b)(6)				
221:25-222:4	INC, 30(b)(6)				
222:10-222:21	INC, 30(b)(6)				
222:24-223:24	INC, 30(b)(6)				
224:4-224:9	INC, 30(b)(6)				
226:6-226:9					
226:10-227:2	FND, SPC, HRS, 30(b)(6)	229:8-10			
229:11-230:23	FND, HRS, 30(b)(6)	230:24-231:4, 231:14-17			
235:2-235:4	30(b)(6)				
235:11-237:2	INC, 30(b)(6)				
237:7-237:10	INC, 30(b)(6)				
237:11-238:22	30(b)(6), SPC, AMB				
241:7-241:18	INC, FND, SPC				
241:21-241:24	INC, FND, SPC				
242:16-242:18	INC, FND, SPC				
242:21-242:24	INC, FND, SPC				
243:3-243:4	INC, FND, SPC, OBJ				
243:17-243:19	INC, FND, SPC, LC				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> December 14, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
244:9-244:22	INC, FND, SPC				
244:25-244:25	INC, FND, SPC				
245:3-245:19	INC, FND, SPC				
245:25-246:2					
246:8-247:6	REL				
247:8-247:12	REL, 30(b)(6)				
247:15-247:16	INC, REL, 30(b)(6)				
247:19-248:8	INC				
248:11-248:12	INC, FND, SPC, 30(b)(6)	248:15-16			
248:18-248:22	INC, FND, SPC, 30(b)(6)				
249:5-249:22	NC, MIS				
249:25-249:25	INC, MIS				
250:4-250:7	INC				
250:11-250:15	INC, 30(b)(6), FND, SPC				
251:6-251:7	NC, 30(b)(6), FND, SPC, ARG				
251:13-251:14	INC, 30(b)(6), FND, SPC				
252:2-252:11	ARG, 30(b)(6), FND, SPC				
270:2-270:9	INC, 30(b)(6), FND, SPC				
270:13-271:2	INC, 30(b)(6), FND, SPC				
271:6-272:16	INC, 30(b)(6), FND, SPC, HRS				
272:19-273:9	INC, 30(b)(6), FND, SPC, HRS	273:10-12, 273:16-20			
273:21-274:21	INC, 30(b)(6), FND, SPC, HRS				
274:24-275:19	INC, 30(b)(6), FND, SPC, HRS, AMB				
276:19-276:23	INC, 30(b)(6), FND, SPC				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Leslie Marino</u> December 14, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
277:3-277:6	INC, 30(b)(6), FND, SPC				
277:9-277:12	INC, 30(b)(6), FND, SPC				
277:15-278:10	INC, 30(b)(6), FND, SPC				
278:13-279:2	INC, 30(b)(6), FND, SPC				
279:22-280:2	30(b)(6)				
280:25-281:15	INC, FND, SPC				
283:16-284:5	INC, FND, SPC, 30(b)(6)	283:12-15			
284:10-285:16	INC, FND, SPC, 30(b)(6)				
286:5-286:18	INC, FND, SPC, 30(b)(6)				
286:21-289:16	INC, FND, SPC, 30(b)(6)				
289:20-289:20	INC				
289:25-293:9	INC, FND, SPC, HRS				
289:25-293:10	INC, FND, SPC, HRS				
293:14-293:23	INC, FND, SPC, HRS	294:2-12			
294:13-295:12	INC, HRS, FND, SPC				
295:16-295:17	INC, FND, SPC				
298:9-298:24	HRS, FND				
299:8-299:22		299:23-300:2, 300:6-301:11			
301:12-302:6					
315:10-315:24					
317:7-318:9	FIRS	321:3-19, 323:17-21, 324:2-325:5, 329:5-330:25, 331:4-19	402, 403	323:22-25, 331:20-332:24, 333:8-15	
318:24-319:10					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Leslie Marino</u> December 14, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
360:15-361:12	FND, SPC	359:11-360:13		323:22-25, 331:20-332:24, 333:8-15	
362:10-363:9		363:10-364:6, 364:9-24		364:7-8	
366:25-367:22					
367:23-368:16		368:17-20			
369:2-371:3		371:4-17			
373:5-373:14					
376:20-378:2	FND, SPC, HRS				
378:3-378:19	30(b)(6)				
381:4-381:17		380:5-12, 380:15-18, 380:21-381:3, 381:18-19, 381:22-25	L, 402, 403		
382:6-382:24	REL, 30(b)(6)				
383:5-383:13	ARG, MIS	383:17-384:16			
384:17-385:19	MIS				
387:23-387:25					
388:8-388:13					
388:14-388:19					
388:20-388:24		388:25-389:13, 391:14-17, 391:20-23	H, L, 402, 403		

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u> December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
5:16-5:19					
6:22-7:17					
7:18-7:20					
7:23-8:6					
8:7-8:14					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u>					
December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
8:23-10:17					
11:3-11:10		11:11-21, 12:2-13:2, 13:16-14:2, 14:22-15:11			
20:8-20:25		19:2-25		20:2-7	
21:2-21:12					
24:15-24:25					
25:2-25:7					
26:2-26:6					
26:16-27:13					
27:14-28:2					
28:3-28:24					
29:20-31:7					
31:12-31:18					
33:19-34:5					
37:24-38:2					
38:6-38:10		38:3-5			
38:11-39:12		39:13-14			
39:15-39:22					
39:23-40:9		40:10-17		40:18-41:2	REL; IMP; HRS
41:24-43:9	HRS				
44:3-44:23					
45:16-45:19					
45:20-46:24	FIRS				
47:25-50:11	FND, SPC, 30(b)(6)				
50:12-51:23					
51:24-52:12					
53:6-53:14					
55:11-55:18					
56:3-56:11					
56:12-57:21		57:22-58:2, 58:5-9		58:10-19	30(b)(6), FND, SPC, AMB, REL
59:7-60:19		58:20-25, 59:5-6	F, V, 402, 403		
62:23-64:24		64:25-65:4	402, NR		
65:18-66:5					
66:9-67:4					
67:7-68:2					
68:3-68:16					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u>					
December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
69:6-69:19					
69:20-70:8					
70:9-71:5					
71:6-71:23					
71:24-72:13					
72:24-76:4					
76:5-76:22		76:23-77:21			
77:22-78:7		78:8-14			
78:15-78:22					
78:23-79:4	HRS, FND, SPC, 30(b)(6)	79:22-80:8, 80:18-81:19, 82:16-83:3		79:12-21, 81:20-82:15	OBJ, IMP, FND, SPC, 30(b)(6)
85:3-86:8					
86:9-88:10					
88:11-88:19					
88:20-89:10					
89:11-89:22		89:23-90:18, 91:11-19, 91:24-92:22		90:19-91:10	IMP; AA
92:23-93:8		93:15-25, 94:4-95:6		95:7-12	IMP
95:13-95:22	FND, SPC, 30(b)(6)				
95:23-96:6					
98:4-98:7					
98:8-98:10					
98:11-99:3	AMB				
99:4-99:23					
100:9-101:10		101:11-15, 101:19-21			
102:2-103:3					
103:4-103:7					
103:8-103:13		103:14-18			
105:15-106:18		104:9-105:14			
107:15-108:19					
107:15-109:12					
108:17-108:23					
108:20-109:4					
109:5-109:12					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u>					
December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
109:13-109:19					
109:20-110:2					
110:3-110:13					
110:14-111:7					
111:10-111:15	30(b)(6)				
111:16-111:19		111:20-112:2			
112:3-112:12					
112:13-113:15	30(b)(6)				
114:6-115:13					
115:14-115:18		115:19-21, 115:24-116:22			
116:23-117:3		117:4-18			
117:19-118:5					
118:6-118:17					
118:25-119:23	HRS				
119:24-120:18	HRS				
120:24-121:13	30(b)(6)				
121:23-123:15	HRS				
123:16-123:21	30(b)(6)				
123:22-124:3		124:4-13		124:14-20	
124:14-124:20					
125:6-125:19		124:21-125:5	402, BSD		
125:25-126:8		126:9-127:15		127:16-128:5	FND, SPC, REL, 403, HRS
128:6-128:7		128:8-11			
128:12-128:18	30(b)(6)				
128:19-128:23	FND, HRS	128:25- 130:7130:12-15			
130:16-130:21		130:22-131:4			
131:5-131:10	FND, HRS	131:12-17, 131:23-133:14	402, BSD	131:18-22	
131:18-131:22					
133:15-134:7					
133:23-134:8	FND, SPC, 30(b)(6)				
135:5-135:23	HRS, FND				
136:13-136:21	FND, SPC, 30(b)(6)				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u>					
December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
136:22-136:25	FND, SPC, 30(b)(6)				
138:15-139:9		137:16-19, 138:7-14	BSD		
139:24-140:17					
141:16-141:23					
142:13-143:8					
143:9-144:18	HRS, FND	160:6-161:16			
146:10-146:24		146:25-147:10		147:11-13	INC
147:11-147:14					
147:15-147:20					
147:21-148:20		148:21-149:15, 149:19-150:9, 151:7-23, 152:4-18	402, BSD		
152:19-153:8					
153:9-153:17					
154:15-154:20					
154:21-155:5		155:24-156:2, 156:5-9		155:6-23, 156:10-18	IMP, FND, SPC
157:13-157:21		156:19-21, 156:24-157:12, 157:22-25, 158:10-19	402, BSD	158:2-9, 158:20-159:5	FND, SPC
161:17-162:5	HRS, FND				
162:6-163:10	HRS				
165:23-166:18	OBJ	164:21-24, 165:4-22			
166:19-167:6					
168:24-169:7					
169:8-169:21	FND				
169:22-170:4					
170:5-171:11	HRS				
171:12-171:18					
171:19-172:10					
172:11-175:3	HRS				
175:21-176:18	HRS				
176:22-177:23	FND, SPC, HRS				
177:24-178:9	HRS, FND, SPC				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u>					
December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
178:10-178:17	HRS, FND, SPC				
179:19-180:7					
180:8-180:15	FND, SPC				
180:16-182:14					
183:25-184:14	HRS, FND, SPC				
184:15-185:13	REL				
185:16-187:6	HRS, FND, SPC, REL	188:21-190:19	402, BSD	190:20-191:7	IMP, CM, AA
191:8-193:10	HRS, FND, SPC, REL				
193:18-194:3	HRS, FND, SPC, REL				
194:4-194:20	REL				
194:21-195:21	REL	195:22-196:3		196:4-7	HRS, REL
196:4-196:7	HRS, REL				
196:8-197:7	HRS	197:8-198:8, 198:24-200:14	Spec, F, 402, 403, BSD	198:10-23, 200:15-202:3	INC, IMP, SPC
202:4-202:8		201:4-202:3, 202:9-203:7	402, 403, BSD	203:8-205:6	HRS, IMP, SPC, FDN, 30(b)(6)
208:10-208:23	AMB, REL, FND, SPC	205:16-22, 206:6-25, 207:6-11, 207:16-208:9	402, 403, BSD	207:2-5	CM, AA, IMP
209:9-211:4	HRS, FND, SPC, CMP, MIC, REL				
211:20-213:9	HRS, OBJ, MIC, SPC, FND, ARG, REL				
216:7-217:4					
217:5-218:6					
218:20-219:21	HRS, MIC, FND, SPC				
219:22-222:25					
224:7-225:13					
225:14-227:7	HRS, MIC, FND, SPC, ARG, AA				
227:8-228:4	HRS				
229:3-229:21		229:22-24, 230:3-4		230:5-8	
230:5-230:8					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Gina Meggo (SalonCentric Rule 30(b)(6))</u>					
December 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
231:20-231:25		231:4-19			
232:15-232:25					
233:2-233:16					
233:17-236:3					
236:16-236:25		236:4-15			
237:2-237:20					
238:8-238:16		238:17-241:15, 241:17-25			
242:2-242:15					
242:19-242:24		244:6-245:5			
245:6-245:12					
245:13-246:16		246:17-247:23, 248:17-25, 249:18-250:2	402, 403, BSD	247:24-248:16, 249:2-17, 250:3-18	HRS, IMP
258:12-13	INC, FND, SPC				
258:14-261:18	OBJ, FND, SPC,				
261:19-262:6	FND, SPC				
262:7-262:15	OBJ				
262:16-264:2	REL, FND				
264:3-267:18					
267:19-267:25	FND				
268:1-276:14					

<u>Rivka Monheit</u>					
December 17, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
4:24-5:3					
49:16-51:7	OBJ				
51:22-52:17					
77:10-78:16					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Lisa Morris aka Melissa Bacallao</u> May 11, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
5:9-5:15		6:21-22			
7:18-7:25					
9:19-10:5					
11:9-12:5		10:21-11:8			
12:23-13:4		12:6-22			
15:4-15:8					
16:4-16:18		16:19-17:3			
17:4-17:12		17:13-17			
17:18-17:23					
18:4-18:13		17:24-18:3			
19:4-19:9					
20:13-20:25					
22:3-22:12		22:13-15			
22:16-22:20		22:21-23:4			
29:8-30:22		27:22-28:16			
31:2-31:15		30:23-25			
31:25-32:6		32:7-9, 32:12-17, 32:21			
33:16-34:8		33:13-15			
34:12-34:19		34:20-38:15	402, 403, BSD	34:12-19, 38:16-23	HRS
38:24-39:9		39:10-16, 44:3-7, 50:25-51:8, 51:11-12	Spec, F, 402, 403, BSD		
52:4-56:8	HRS, LC, MIS, 30(b)(6)				
56:13-57:23					
60:16-60:25		61:24-62:4			
62:5-63:12	SPC, FND				
63:16-63:20		64:4-21		64:22-65:11	CM, AA
65:12-65:20					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Steven Orzel</u> May 29, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
40:16-94:17	CM, NP, HRS, OBJ, FND, SPC, INC, MIS, REL	9:20-21, 9:25-10:7, 14:19-15:7, 18:13-14, 25:11-28:11	402, 403, BSD	15:8-18, 18:5-12, 18:13-21, 28:12-29:4	
103:22-104:17		104:19-23, 107:22-109:18, 112:15-113:6, 113:13-115:21, 117:23-118:25	402, 403, BSD	115:22-116:6, 119:2-6	
134:17-136:12					
136:13-137:15	FND, SPC, AA	137:17-20, 138:5-142:13	H, F, 402, 403	137:21-138:4	
142:14-144:10		144:12-18			
150:8-150:12		150:13-14			
154:23-155:10	FND, SPC	155:12-156:10, 159:5-24		156:11-15	
161:23-162:19		162:21-163:19, 163:22-166:12, 166:17-18	402, 403, BSD	166:20-167:4	
167:5-167:13					
167:14-180:24	AMB, HYP, SPC, MIS				
181:18-185:8		185:9-186:8, 186:23-187:18, 188:20-190:5	402, 403, BSD	186:9-22,	
191:14-191:22	FND, SPC	191:4-13, 192:15-193:7, 193:16-194:8	402, 403, BSD	193:8-15, 194:9-196:24	HS, FND, SPC
197:16-197:20		196:25-197:15, 198:5-9, 202:14-203:17	L, 402, 403, BSD	194:9-196:24	HS, FND, SPC

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Eric Pressly</u> April 3, 2017</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
6:12-19		7:13-8:15			
41:18-42:5	OBJ	7:13-8:15, 9:23-10:10, 11:2-13:20, 14:23-15:21, 16:8-18:5, 20:4-11, 24:15-25:11, 25:12-26:13, 26:14-27:18, 29:7-30:6, 30:10-31:18, 31:21-33:18, 35:4-36:10, 36:11-37:20, 38:23-39:14, 39:15-40:25, 41:9-17, 42:6-44:23, 45:5-7, 51:17-53:12, 54:9-22, 115:4-23, 129:9-13, 129:18, 129:20-130:18, 132:1-7	402; 403; FO; V; 611; M	53:19-54:2	
70:23-71:13		62:25-64:24, 65:2, 65:5-69:1, 69:5-70:17, 71:14-72:3	402; 403; FO; V; 611; I		
72:4-74:17		62:25-64:24, 65:2, 65:5-69:1, 69:5-70:17, 74:23-75:11, 116:6-119:20, 120:4-12, 120:15-121:14, 121:24-125:16, 125:25-126:19, 126:25-127:4, 127:18-128:4	402; 403; FO; V; 611; I; M		
74:20-22		74:18-19			
75:12-25		76:1-4			
76:5-78:23		78:24-81:1	402		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Eric Pressly</u> April 3, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
81:19-82:3		81:2-18	402		
83:4-88:11		82:4-83:3, 88:12-90:19,	V; I; 611; FO; M		
91:5-15		92:5-93:2	402; 403		
93:3-15		93:16-21	402		
94:4-95:21		93:22-94:3, 95:22-96:5, 95:22-96:5, 96:14-97:14, 97:18-22, 97:24-98:2, 98:5-100:2	611; V; FO; M; NT; I		
100:3-101:12		101:18-103:18	611; V; FO; M; I		
103:19-105:10		105:11-108:7	611; V; FO; M; I; 402; 403		
108:10-109:6		110:5-111:13	402; V; NT		
111:14-112:7		112:8-114:14	611; V; FO; M		

<u>Eric Pressly</u> December 19, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
6:9-16		7:7-17			
9:19-10:5					
10:9-11:3					
11:8-14:12					
14:16-15:5		15:11-22	402; 403; 602		
16:16-22					
18:2-16		17:3-15			
18:23-19:5		19:6-13			
19:14-20:11		20:12-14	V; 402; 403		
20:19-23:20		23:21-22, 23:24-24:7	FO; V; M; 602; 611; H		
24:8-25:4					
25:10-26:3		25:5-7, 25:9, 26:4-7, 26:9-14	C; V; NT; I		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Eric Pressly</u> December 19, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
26:15-28:12		28:13-24, 29:3-6, 29:11-13, 29:15-30:8, 30:10-20, 21:22-31:5	F; V; M; 402; 403; H		
31:6-32:23		32:24-25, 33:2-4, 33:6	F; V; 611		
33:7-34:13		34:18-35:14	611; F; 602; S; H		
38:23-39:7		36:17-37:4, 37:6, 37:12-16, 37:18-23, 38:1-13, 38:16-18, 39:8-10, 39:12-24, 40:5-41:5, 41:7-13, 41:16-20, 41:22-42, 42:4-7, 42:10-14, 42:17-21, 42:24-43:5, 43:8-44:12, 44:15-45:11, 45:14-46:6, 46:84, 46:13-47:1	611; F; 402; 403; Spec; V; A; M; 701; H		
48:15-21		46:9-10, 47:2-48:2, 48:5-8, 48:14, 48:22, 48:24	611; 701; V; F		
48:25-49:6		49:7, 49:9-10	V;		
49:11-18		49:19-21, 50:1-2, 50:4-12	F; V;		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Eric Pressly</u> December 19, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
50:13-53:7		53:8-9, 53:10-54:23, 55:1-6, 55:9-23, 56:1-16, 56:18-57:2, 57:13-15, 57:17-58:1, 58:6-13, 58:15-18, 58:20-25, 59:2-13, 59:15, 59:16-60:12, 61:25-62:5, 62:8-15, 62:18, 62:22-64:21, 64:25-66:6, 66:9-21, 67:5-68:11, 68:22-24, 69:3,	701; 611; 402; 403; M; F; H; V		
74:16-76:17		71:12-21, 71:23-72:2, 72:4-12, 72:21-23, 72:25, 73:1-74:15, 76:18-19	F; V; M		
77:1-80:17					
80:25-81:19		81:20-83:14			
83:21-84:10		83:15-17, 83:19-20, 84:11, 84:13-85:11, 85:13-86:5, 86:8-9	C; V; Spec; A; 611		
86:10-18		86:19-88:1	402; 403; FO; 611		

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Eric Pressly</u> December 19, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
88:2-89:5		89:6-7:89:10-22, 89:24-90:1, 90:11-15, 90:18-22, 90:24-91:2, 91:4-7, 91:11-20, 91:23-24, 92:5-95:4, 95:6-96:14, 96:20-98:17, 98:21-99:8, 99:10-19, 99:21-102:15, 103:14-104:9, 104:12-23, 104:25-105:3, 105:5-21, 105:23, 105:25-106:2, 106, 4-107:4, 107:7-11, 107:13-109:9, 109:11-18, 128:20-25, 129:4-17, 129:21-130:7, 130:13-131:10, 131:13-19, 131:22-25, 132:4-133:3, 133:7-8, 133:17-24, 134:2-4, 134:22-25, 135:9-14, 135:20-136:25, 137:2-3, 137:5-15	701; 611; 402; 403; M; F; H; V; Spec		
113:9-17		111:17-112:16, 112:18-113:3, 113:18-21, 113:23-25	V; 403; 402;		
114:6-23		114:24-115:19			

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Eric Pressly</u> December 19, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
115:24-5		116:2-3, 116:5-8, 116:10-25, 117:2-10	I; NT; F		
117:18-25		118:1-2, 118:4-8, 118:11-25, 119:2-120:7, 120:10-12, 120:14-121:17, 121:22-123:19, 123:21-124:1, 124:4-8, 124:10-14, 124:18-125:14, 125:16-18, 125:23-126:18, 128:20-23	701; 611; 402; 403; M; F; H; V; Spec		
166:18-167:6	LDG, AMB	168:3-5, 168:7-20	V; F		

<u>Joseph Santy</u> May 14, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
45:8-46:9	OBJ	46:14-17, 46:19-21, 46:25-47:1, 47:11-13, 47:15-17	H, 402, 403	47:3-9	HRS
81:6-81:21		79:15-17, 79:19-80:3, 80:6-11, 80:13-20, 80:22-81:4	H, M, L, 402, 403		
82:11-83:4	OBJ				
83:5-83:15	OBJ	83:17-84:4	H, 402, 403		
84:5-84:11	OBJ	84:13-20, 84:22-85:1		85:2-12	
115:24-116:15	OBJ				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Joseph Santy</u> May 14, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
121:20-122:3	OBJ	122:5-6, 122:8-12, 122:15-16, 122:18-19, 122:22-123:2	Arg, M, L, 402, 403		
123:3-123:25	OBJ	124:1-4, 124:6	Arg, M, L, 402, 403	124:8-17	OBJ, LDR, CPD, ARG
164:4-164:21	OBJ	163:18-164:3			
168:13-169:4	OBJ	166:24-167:3, 167:5-10, 167:12-13, 168:2-6, 168:8-12	Arg, M, L, 402, 403	167:15-24	OBJ, LDR, AA

<u>Joseph Santy</u> December 17, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
26:12-27:22	OBJ				
39:2-39:19					
39:20-40:13	OBJ				
41:6-41:15					
43:21-45:9	OBJ				
51:18-52:9					
62:8-62:21					
62:22-63:23					
117:13-118:6	OBJ, LDG				
118:7-119:1	OBJ, LDG, FND	119:2-7	H		
120:20-121:12	OBJ, LDG				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Paul Schiraldi</u> May 11, 2017					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
13:2-13:12		6:20, 8:18-24, 13:13-16			
14:10-14:15					
16:6-17:3		17:4-18:18			
20:2-21:6		19:22-25, 21:7-12			
23:2-24:8					
25:6-25:10					
27:2-27:20		27:21-29:6			
29:7-29:22		29:23-31:15			
31:17-32:7					
32:9-32:19		34:22-38:4, 38:7-25			
39:2-39:3					
40:2-40:5					
40:8-41:10		41:11-42:20		42:21-43:4	30(b)(6), FND, SPC
43:5-43:10					
43:14-43:22					

<u>Paul Schiraldi</u> June 21, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
39:15-43:8	MIS, ARG, AMB,	6:13-16, 38:6-39:14, 43:9-16			
47:11-48:18		48:19-24			
48:25-50:9					
55:4-55:15		52:25-53:2, 53:4-8, 53:10-12			

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Paul Schiraldi</u> December 21, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
22:14-24:9	30(b)(6), FND, SPC, AMB	5:11-12		112:11-114:22	IMP, OBJ, 30(b)(6), FND, SPC
25:2-27:16	LC, AMB				
29:24-30:24					
30:25-32:15	FND, SPC				
33:4-33:21					
34:10-40:9	AMB, CPD, FND	40:10-18, 41:3-13, 41:24-42:9			
42:10-44:19	30(b)(6), MIS, AMB	44:20-45:3			
45:4-45:18					
46:3-55:20	OBJ, MIS, 30(b)(6), AMB				
56:6-67:2		67:3-68:17			
68:18-72:16					
73:16-92:5	AMB, FND, SPC, MIS				
93:3-93:22		92:6-20, 92:23-93:2, 93:23-94:18, 94:21-95:14, 95:16-19			
95:20-98:24					
99:14-100:10					
100:21-101:3					
101:18-105:3	30(b)(6), AMB				
114:23-116:5	30(b)(6)				
116:15-117:15	30(b)(6), AMB				
117:18-118:7					
118:12-122:22	FND, SPC, HRS	122:23-124:16		124:17-24	
124:25-125:25	HRS				
126:1-128:24	FND, SPC, HRS, AMB, CPD				
129:5-136:4	FND, SPC, 30(b)(6), HRS				
142:9-143:2	HRS	143:3-12, 143:14-19		143:20-144:14	FND, SPC
146:6-150:7	AMB, 30(b)(6)	145:21-146:5			

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Paul Schiraldi</u> December 21, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
160:3-169:16	MIS, HRS, AMB, 30(b)(6), FND, SPC				
170:19-172:3	30(b)(6)	173:10-24	Spec, F, 402, 403		
174:9-174:13					
179:16-182:20	30(b)(6), FND, SPC				
187:3-187:24					
188:21-198:25	HRS, 30(b)(6), FND, SPC, AMB, CPD,	199:2-20	402, 403		
204:12-204:15					
204:16-204:18					
204:19-205:2					
205:24-206:4					
206:19-206:22					
207:23-209:9	INC	209:10-13		209:14-210:5	
210:17-210:22	AMB	210:6-12		209:14-210:5	
210:23-211:13	30(b)(6)	211:14-25, 212:3-7			
212:8-212:10					
212:18-213:14	AMB, SPC	213:15-21, 214:2-4		214:5-11	
214:12-214:24	AMB, FND, SPC				
217:8-231:2	CMP, FND, INC, AMB, 30(b)(6), SPC				
232:5-233:9		231:9-11, 231:13-20, 231:22-232:4	402, 403		
234:16-236:15	FND, SPC, ILO				
236:16-241:22	CMP, FND, INC, AMB, 30(b)(6), SPC				
242:5-255:5	HRS, MIS, FNDSPC				
259:7-261:16	HRS				
261:17-265:24	30(b)(6), HRS				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Paul Schiraldi</u> December 21, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
266:10-292:14	FND, SPC, AMB, ILO, 30(b)(6)	292:15-22			
293:17-300:16	MIS, AMB	303:11-21, 304:25-305:12		303:25-304:24, 305:13-17	
306:24-331:16	AMB, MIS, LC, HRS, OBJ, FND, 30(b)(6)	305:18-306:2, 332:5-14, 332:17-18, 332:22-333:5, 333:8-12	Spec, F, L, 402, 403, 701	306:3-23	

<u>Jeff Schwartz</u> December 18, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
20:20-21:11	HRS				
32:7-33:7	HRS				
43:6-45:2	REL, 403				
48:17-49:3	REL, 403				
56:18-56:25					
100:10-101:1	HRS, REL, 403				
101:9-102:16	HRS, REL, 403				

<u>Paul Sharnsky</u> December 21, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
20:2-20:19		9:20-21, 10:5-9	NT, 402		
20:20-20:25					
21:2-21:9	FND, SPC				
21:10-21:12		21:15-22-2			

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p align="center"><u>Paul Sharnsky</u> December 21, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
22:19-25:9					
26:12-27:12					
33:7-33:20		29:13-16		30:8-31-16	IMP
35:21-36:15					
37:19-39:5					
39:11-39:22					
40:4-42:23					
46:17-47:6		45:11-15			
47:7-47:16	AMB				
47:17-48:2		48:18-49:12, 49:22-50:18, 51:18-52:7		50:19-25	
52:15-52:24					
56:20-59:14		59:17-20, 59:22-60:19	NR, NT, N		
60:25-63:25	OBJ				
64:2-64:6	ARG, OBJ, REL, 403				
64:7-65:10		65:11-66:3, 70:7- 71:16	NR, N	67:3-12	FND, SPC
73:10-73:14					
73:15-73:17	OBJ				
73:18-74:16		76:18-79:11, 124:5-13, 124:17-20	NR, N, NT, I	79:12-80:20	MIS
81:2-82:6					
82:19-83:17		83:23-84:6, 84:9-85:2	I, NT, NR,	84:7-8, 85:3-86:8	OBJ
86:10-88:9		88:10-89:25			
90:7-90:11	FND, SPC				
90:12-90:22					
90:23-91:7	OBJ				
91:9-91:18					
93:4-93:19		92:5-8, 92:11- 93:2			
94:18-100:25					
101:3-101:16					
101:17-102:17					

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<u>Paul Sharnsky</u> December 21, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
108:8-110:22		104:5-106:3, 106:20-108:7, 111:19-112:16		112:17-113:7	FND, SPC, REL
113:14-114:14		114:15-117:5		117:6-16	REL
118:16-121:20		117:22-24	NT		
126:10-132:18	HRS				
133:14-138:10	HRS				
143:4-144:10					
146:11-151:3					
151:4-151:8	OBJ				
151:9-151:17		151:24-152:22, 154:18-155:19, 155:24-156:20	611, F, V, N, NT, 402		

<u>Mark Spinks</u> May 11, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
48:2-48:21					
57:3-58:7	OBJ				
75:9-75:18					

<u>Kerry Sullivan</u> May 8, 2018					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
20:17-21:24					
31:18-32:4	OBJ				

PLAINTIFFS' DEPOSITION DESIGNATIONS – EXHIBIT 8

<p style="text-align: center;"><u>Louis Zehil</u> December 6, 2018</p>					
Plaintiffs' Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Designations	Plaintiffs' Counter-Counter Designations	Defendants' Objections to Plaintiffs' Counter-Counter Designations
82:25-83:3					
83:16-83:21					
84:11-84:17					
85:10-86:1	AMB, LC, REL, FND, SPC				
86:12-95:8	HRS, REL, LC, FND, SPC, AMB, OBJ				
96:12-97:5	LC, SPC, FND				

EXHIBIT 9

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LIQWD, INC. and OLAPLEX LLC,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 17-14-JFB-SRF
)	
L'ORÉAL USA, INC., L'ORÉAL USA)	
PRODUCTS, INC., L'ORÉAL USA S/D, INC.,)	
and REDKEN 5 TH AVENUE NYC, LLC,)	
)	
Defendants.)	

EXHIBIT 9
DEFENDANTS' DEPOSITION DESIGNATIONS

Pursuant to D. Del. Local Rule 16.3(c)(7), Defendants provide the following list of deposition designations. Defendants reserve the right to revise, amend, supplement, or modify the following list of deposition designations based on any pretrial rulings by the Court and/or to address any additional issues, arguments, evidence or other developments in the case, including edits to the draft pretrial order, any meet and confers or other negotiations between the parties, pending and anticipated motions, and similar developments.

<p style="text-align: center;">Gregory Auer December 11, 2018</p>					
Defendants' Designations	Plaintiffs' Objections¹	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations²	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
6:13-17					
9:20-24					
9:25-10:4					
10:5-10					
10:11-13					
10:16-20					
10:22-23					
10:24-11:2					
12:4-9					
12:10-12					
19:8-11					
19:12-14					
19:15-17					
19:18-19					
23:24-24:2					
25:17-18					
25:21					
37:17-21					
37:22-25					
38:1-3					
47:4-9					
47:10-12					
47:13-15					
47:16-21					
47:22-48:2					
48:3-5					
48:6-8					
48:11					
48:13-14					
48:17-21					
49:9-13	H, 402, 403				
49:14-17	402, 403				
49:18-20	402, 403				
52:19-22	H, 402, 403				

¹ A key for Plaintiffs' objection codes is provided at the end of this Exhibit.

² A key for Defendants' objection codes is provided at the end of this Exhibit.

Gregory Auer December 11, 2018					
Defendants' Designations	Plaintiffs' Objections¹	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations²	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
52:23-53:2 53:7-8	H, 402, 403				
53:10:14	402, 403				
53:15-19	402, 403				
53:20-24	402, 403				
53:25-54:6	402, 403				
54:7-10	402, 403				
54:11-14	402, 403				
54:15-22	Hyp, Spec, 402, 403				
54:23-24 55:2-8	Spec, F, 402, 403				
55:10-13	402, 403				
55:14-18	402, 403				
55:19-21 55:25-56:1	M, L, 402, 403				
55:1-21	402, 403				
55:24-56:1	402, 403				
81:5-10					
81:11-15					

Fabien Boulineau September 28, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
6:20-23		6:24-7:13	OBJ, REL	7:14-18	
9:8-11	402, 403, I, V				
9:12-14					
9:15-18					
10:6-10		9:22-25		10:2-12	
10:11-12		10:13-16		10:2-12	
10:17-21					
10:25-11:5					

Fabien Boulineau September 28, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
11:6-10		10:13-16		10:2-12	
11:11-18					
11:19-22					
11:23-25					
12:19-21	402, V				
12:22-24	402, V				
14:3-10	402, I, Hyp, NR				
14:11-15	402, I, Hyp, NR				
14:16-17	402, I, Hyp, NR				
14:18-24	402, 602, F, V, 701				
15:22-16:4					
16:5-7					
16:8-11					
16:12-14					
16:15-17					
16:18-21					
17:5-14	402, F, Spec, 701, NR				
17:15-16	402, I, V				
17:17-22	402, F, Spec, HR				
18:11-18	Hyp, F, Spec, I, V, 701,				
18:19-24	402, 602, F, I	18:25-19:22			
19:23-20:2					
20:3-6	602, F				
20:7-10	402, I, V	20:7-16		20:17-19, 20:22-24	Spec, F, 402, 403
20:25-21:6	NR				
21:7-10					
21:11-18					
23:9-14					
23:15-20					
32:9-14					
32:18-21					
32:22-25	402				

Fabien Boulineau September 28, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
33:2-9					
33:10-14					
33:15-21					
33:22-34:3					
34:4-20	402, F, V, H, NR				
34:21-35:3					
35:4-9					
35:10-17	402, NR				
35:18-22					
35:23-25					
36:2-5	402, 403, V, NR				
36:6-17					
36:18-23					
38:16-22					
38:23-39:3					
39:4-6					
39:7-14					
39:15-17					
39:18-22					
39:23-40:6					
40:7-12					
40:15					
40:16-18					
41:23-42:7	602, H				
42:8-11	602, H				
42:12-20					
42:21-43:3					
43:4-7					
43:20-24	402, I, V				
43:25-44:8	402				
44:9-11	402				
44:12-13	402, 701				
44:14-17	402, I, V				
44:22-45:2	402, 701				
45:11-20		45:6-10			

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
47:13-16					
47:17-20					
47:21-24	402, NR				
48:4-8	402, NR				
48:9-14	402, NR				
51:21-52:2	402, NR				
52:3-5	402, NR				
52:21-23					
52:24-53:4					
53:5-8					
53:9-11					
53:12-17					
53:18-20					
53:21-25					
54:2-8					
54:9-19					
54:20-24					
54:25-55:5	402, I, NR				
55:6-8	402, I, NR				
55:9-23	402, NR				
55:24-56:6	402, NR				
56:7-8					
56:9-13	402, F	56:14-23			
56:14-23					
56:24-57:3					
59:20-22	402				
59:23-24	402				
64:11-12	402				
64:16-17	402				
64:18-21	402				
64:22-24	402				
64:25-65:5	402, F, Spec, V				
65:22-24					
65:25-66:4	403, I	66:5-6			
66:5-6					
66:10-12					
66:13-15					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
66:23-67:8	402, F, 602				
67:14-15	402, F, 602				
67:19-21	402, F, 602				
67:25-68:6	402				
68:7-8	402				
82:8-9	701				
82:12-13	701				
82:14-18	701				
82:19-21	701				
82:22	701				
83:7	I, 701				
83:8	701				
83:13	701				
89:9-14	NR				
89:15-22					
89:23-90:2					
90:3-4					
90:10					
90:11-13					
91:4-11					
91:12-15					
91:16-18					
92:16-18					
92:24-93:3					
93:4-5					
93:6-9	402, F				
93:10-11	402, NR				
93:12-16	402, F, Spec, AF				
93:17-19	402, F, Spec				
93:23-25	402, F, Spec				
95:19-22					
96:3-7					
96:8-12					
96:13-18					
96:19-23		96:24-97:12		97:13-17	
97:24-98:3					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
98:4-8					
98:9-10					
98:11-13					
98:14-15	402, F				
99:2-6	701				
99:7-11	402, F, 701				
99:16-19	402, F, 701				
101:16-19	402				
101:20-21	402, F				
101:22-23	402, F				
101:24-102:2	402				
102:3-5	402				
102:6-8	402				
102:21-103:6	402, 403, V, NR				
103:8	402, 403, V, NR				
103:14-15	402, 403, V, NR				
107:12-15					
107:20-22					
107:23-108:6					
108:7-12					
108:13-16					
108:17-21					
108:22-24					
112:5-8					
112:9-12					
112:13-18					
112:19-24					
112:25-113:3					
113:13-16	402, I, NR				
113:19	402, I, NR				
113:20-22					
113:23-114:2					
114:3-7					
114:8-11					

<p style="text-align: center;">Fabien Boulineau September 28, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
114:12-14					
114:15-17					
114:18-20					
114:21-23					
114:24-115:3					
115:8-9					
115:10-15	402				
115:16-18	402				
115:19-25					
116:2-7					
116:8-10					
133:14-16					
133:21-22					
133:23-134:2					
134:7-10		134:11-25			
134:19-25					
135:2-5					
135:6-9		135:10-18			
137:17-19		137:13-16			
137:20-24					
137:25-138:2					
138:3-12					
138:13-19					
138:20-139:4					
139:19-24	I	139:25-140:5			
139:25-140:5					
140:23-25					
141:6-8					
141:9-10					
141:11-17					
142:6-9					
142:10-11					
142:12-16					
142:17-21					
142:22-143:6	402, 602, F				
143:7-14					
143:15-23					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
143:24-144:3					
144:4-12					
144:13-16					
144:17-19					
144:20-24					
145:5-9					
145:10-12					
145:13-16					
145:22-23					
145:24-146:2					
146:3-5		146:6-16, 146:21-23			
146:25-147:5					
147:6-13					
147:14-16	402, 403, NR				
147:21-148:3	402, 403, NR				
148:4-5	402, 403, NR				
148:6-12	402, 403, NR	148:13-18, 148:21-22, 148:25-149:2, 149:5-150:2, 150:6-8			
149:7-9					
149:10-11					
149:12-14					
149:15-24	403, F, 701				
149:25-150:2					
150:6					
150:7-8					
150:9-10					
150:19-151:3					
151:4-5					
151:8-9					
151:10-11	F				
151:12-17					
151:18-24					
151:25-152:4					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
152:5-6					
152:7-8	602, F, Spec, AF				
152:9-11					
152:12-14					
152:15-17					
152:18-153:4					
153:5-10					
153:11-13	Spec				
153:14-16	402, Spec	153:17-22			
154:19-22					
154:23-25					
155:2-8					
155:9-13					
155:15					
155:16-19					
155:20-156:3					
156:4-23					
156:24-157:6					
157:7-11					
157:18-21	402				
157:22-23	402				
157:24-158:2	402				
158:3-4	402				
158:17-19					
158:24-159:2					
159:3					
159:5					
159:6-9					
159:10-14	402				
159:15-22	402				
160:24-161:2					
161:3-7					
161:8-10					
161:11	402				
161:16-18	402	161:19-20, 161:24-26			

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
161:19-20	402				
161:24-25	402				
162:2-7					
163:4-8					
163:9-10					
163:14-17					
163 :18-21					
163:22-23					
163:24-164:5					
164:6-11					
164:12-15					
164:16-19					
164:20-25					
165:6-8					
165:9-11					
165:12-16					
166:8-13					
166:14-15					
166:16-17					
166:18-20					
166:21-23					
167:4-5		167:6-8, 167:13			
167:14-16					
167:23-168:2		168:3-5			
168:6-8					
168:9-13					
168:14-15					
168:16-22					
168:23-169:2		169:8-12			
169:19-21		169:13-18			
170:2					
170:3-4		170:5			
170:10					
170:11-14					
170:19-21					
170:22-171:3					
171:4-7	402, F				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
171:8-10	402, F	181:4-6, 141:9-16			
171:11-17	402, F, 701				
171:18-21					
172:2-10	402, F, 701, NR				
173:25-174:3					
174:4-7					
174:8-9					
174:10-14					
174:15-20					
174:21-22					
174:23-24					
176:11-14	602, F, Spec, AF	176:15-18, 176:21	AMB, SPC		
176:23-177:2	402, 403, I	176:22			
177:3-5	402, 403				
177:6-9	402, 403				
177:10-11	402, 403				
177:20-22	402, 403, I	177:13			
177:23-24	402, 403				
177:25-178:3	402, 403				
178:4-6	402, 403				
178:7-8	402, 403				
178:9-12	402, 403				
179:9-11					
179:12-16	402, V				
179:17-19	402				
179:20-22	402				
179:23-25	402				
180:2-4	402				
180:5-7					
180:8-13					
180:14-17					
180:18-24					
181:4-6					
181:9-13		181:14-16			
183:11-13	402				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
183:14-17	402				
183:18-25	402				
184:5-8					
184:13	402, F, Spec				
184:14-16	402, F, Spec	185:3-16, 185:19-22			
184:17-19	402, F, Spec				
184:24-185:2	402, F, Spec				
185:3-8					
185:9-13					
185:14-16					
185:19-22					
187:6-8					
187:12-13					
187:14-16		187:17-19, 187:23-188:4, 188:7	SPC		
188:8-10					
188:25-189:5					
189:6-10					
189:11-14		189:15-24			
194:14-21					
194:22-24					
208:9-10					
208:20-22					
208:23-209:2					
209:3-5					
209:6-7					
209:12-13					
209:14-16					
209:20-23		209:24-210:2			
210:10-12	402				
210:13-15	402, F				
210:16-22					
211:7-9					
211:10-21		211:22-25, 212:5	SPC, FND		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
212:6-10	402, F, Spec				
212:13	402, F, Spec				
218:22-219:7					
219:8-11					
219:17-22					
219:23-24					
220:7-10	402, NR				
220:11-14	402				
222:21-24					
223:4-5					
223:6-10					
223:11-15		223:16-22			
227:12-15	402, NR	227:5-11			
227:16-19					
227:20-22					
227:23-25					
228:6-7					
228:8-9					
228:10					
228:12-14					
228:15-16					
228:17-18		228:19-229:5, 229:8	SPC		
229:9-11					
229:12-13					
229:17-18					
230:16-17					
230:18-20					
230:21-24	I	230:25	IMP, OBJ		
231:2-7					
235:18-236:5		231:11-14, 231:22-232:2, 233:10-19, 235:11-17			
236:6-10	402, 602, spec				
236:11-16		236:17-19, 236:24	MIS, FND, SPC		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
237:14-16					
237:17-20					
237:21-238:8					
239:8-10		238:9-19, 238:21, 239:6-7	AMB, FND, MIS		
239:11-13					
239:14-16					
239:17-22					
239:23-25					
240:2-3	I	240:6			
240:17-241:3					
241:4-8					
241:9-242:2					
242:4-19	F, 701				
242:20-21					
243:2					
243:3-4					
243:8-13					
243:14-17					
243:22-244:2					
244:3-12		244:13, 244:19- 20	MIS, FND, ILO		
244:21-245:12					
245:13-19					
246:7-11		245:20-24, 246:5-6	CMP, AA		
246:12-20					
246:21-23					
246:24-247:5					
247:6-9					
247:10-12					
247:13-248:5					
248:6-14					
250:5-7		248:15-249:8	MIS		
250:8-9					
250:14-15					
250:16-18					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
250:19-20					
250:23-251:2					
251:3-7					
251:12					
251:13-17					
251:18-25					
252:2-9					
252:10-14					
252:15-24					
252:25-253:3					
253:8-9					
253:10-13	402, 403				
253:24-254:12					
254:13-17					
255:17-19		254:18-255:16			
255:20-256:5					
256:6-9					
256:10-12					
256:13-17					
256:18-21					
256:22-24					
256:25-257:2					
257:7					
257:8					
257:11-17		257:18-25			
258:2-7					
258:8-18					
258:19-24					
258:25-259:3					
259:4-5					
259:6-7					
259:8-10		259:11-24			
260:2-13					
260:14-22					
260:23-25					
261:2-6					
261:7-9					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
261:10-12					
261:16					
261:17-23					
261:25-262:2					
262:3-7					
262:8-9					
262:10-13					
262:14-16					
262:17-21					
262:22-23					
262:24-25					
263:2-3					
263:8					
263:9-11					
263:12-13					
263:14-18					
263:19-20					
263:23-264:2					
264:3-11					
264:12-13					
264:14-17					
264:22-23					
264:24-265:4					
265:5-8					
265:10-266:2					
266:3-7					
268:10-13		267:25-268:9			
268:14					
268:16-19	I	268:15	IMP, OBJ		
268:20-24					
275:7-9					
275:10-16					
275:17-19					
275:20					
275:22-276:5					
276:6-9					
276:19-21					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
276:25-277:3					
277:23-25					
278:2-11					
278:12-13					
278:14-15					
278:19-23					
278:24-279:4					
279:10-15	Spec				
279:16-19					
279:25-280:5	NR				
281:17-25		280:6-11, 280:14-16, 281:14	AA		
282:2-7					
282:8-11					
282:12-13					
282:18-19					
284:21-24					
284:25-285:4					
285:5-10					
285:11-12					
285:16-19					
285:20-21					
286:4-7					
286:8-9					
286:13-24					
287:2-10					
287:11-17					
287:24-288:2		287:18-23			
288:7-11					
288:12-19		288:20-289:10			
289:11-13					
289:18-20					
289:21-24					
289:25-290:3					
290:4-10	402				
290:11	F, Spec				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
290:14-15	F, Spec				
290:16-17	F, Spec, NR				
290:20-24	F, Spec, NR				
290:25-291:5					
291:6-8					
291:13-14					
291:15-16					
291:17-21					
291:23-292:2					
292:8-10	402, 403, V	292:3-7, 292:11			
292:14-18					
291:19-21					
293:2-6	NR				
293:7-11	NR				
293:12-17	402, 403				
293:18-19	402, 403				
293:20-22	402, 403				
293:23-294:8	402, 403				
294:9-23	402, 403				
294:24-25					
295:6-8					
295:9-10					
295:11-14					
295:24-296:7					
296:10					
296:11-16					
297:17-19		296:17-297:16			
297:23-298:2					
298:3-4					
298:7					
298:8-10					
298:11					
298:20-299:10					
299:11-13					
299:18-20		299:22-23			
299:24-25					
300:6-8					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
300:9-11					
300:12-16					
300:17-21	NR				
300:22-301:4					
301:5-10					
301:11-16					
301:17-22					
302:3-7		301:23-302:1			
302:8-11					
302:12-14					
302:15-17					
302:18-22					
302:23-303:2					
303:3-12					
303:13-21					
303:22-304:2					
304:3-7					
304:10-13					
304:14-17					
304:18-23					
304:24-305:8					
305:9-16					
305:17-19					
305:20-21		305:22-23, 305:25, 306:5-12. 306:17-18	AMB		
306:19-24					
306:25-307:7					
307:8-12					
307:13-17					
307:18-22					
307:23-24					
307:25-308:2					
308:6-23		308:24-309:6			
309:7-9					
309:10-13					
309:14-17					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
309:18-310:4					
310:5-7					
310:11-17					
311:9-13					
311:14-16					
311:17-23					
311:24-312:2					
312:4-17		312:3	IMP, OBJ		
312:18-20					
312:21-23					
313:4					
313:5-10					
313:11-15					
313:21-25					
314:2-9					
314:10-11		314:12-21			
315:17-19	402, 403				
315:20-23	402, 403				
315:24-316:3	402, 403				
319:18-23	402, I	107:12-108:6, 110:7-13			
319:24-320:2	402, I, 611, M	110:14-111:14			
320:8-9	402				
320:10-12	402, I, 611	110:14-111:14			
320:14	402, 611				
320:15-17	402, 611				
320:18-21	402, 611				
320:24-25	402, 611, NR				
321:2-4	402, 611				
321:7-8	402, 611				
321:9-11	402, 611				
321:14-15	402, 611				
321:18	402, 611				
321:19-24	402, 611				
322:3-4	402, 611				
322:5-8	402, 611				
322:15-323:5	402, NR, N				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
323:6-14	402, 701				
323:15-21	402, I, V, M	158:17-159:9, 168:6-169:2, 169:2-21, 170:2	OBJ		
323:22-324:3	C, 611				
324:7	C, 611				
324:8-9	402				
324:10-13	611				
324:16	611				
324:17-325:2	402, 701				
325:3-7	402, 611, 701				
325:10	402, 611, 701				
325:11-15	402, 611, 701				
325:18	402, 611, 701				
325:19-25	402, 403, V				
326:2-6	402, 403, V				
326:7-11	402, I				
326:14-20	402, I, BSD	238:9-19, 238:21, 239:8-240:3, 240:17-242:19	MIS, AMB		
326:21-23	402, I, BSD				
326:24-327:4	402, BSD	242:20-21, 243:2-4, 243:8-17, 243:22-244-13, 244:19-20			
327:5-7	402, 611, BSD				
327:10-12	402, 611, BSD	327:5-7			
327:13-15	402				
327:16-21	402				
327:22-23	402				
327:24-328:2	402				
328:3-9	402, F, I, V,	184:5-8,	IMP		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
	611, M	184:13-19, 184:24-185:16, 185:19-22			
328:12	402, I, 611, M				
328:13-15	402, I, 611, M				
328:16-18	402, I, 611, M				
328:19-22	402, F, I, V, M	185:3-13	IMP		
328:23-329:2	402, F, I, V, 611	185:3-13	IMP		
329:5-6	402, F, I, V, 611				
329:9	402, F, I, V, 611				
329:10-11	402, F, I, V, 611				
329:12-13	402, F, I, V, 611, NR				
329:14-17	402, F, I, V, 611	185:3-13	IMP		
329:18-20	402, F, I, V, NR	185:3-13	IMP		
329:21-22	402, F, I, V	185:3-13	IMP		
329:23-25	402, F, I, V	185:3-13	IMP		
330:2-7					
330:8-11	402, V, 611				
330:14	402				
330:15-18	402, V, 611				
330:19-331:9	402, V				
331:10-12	402, 403, V	311:4-13, 311:24-312:17			
331:13-18	402, 403, 611				
331:21-23	402, 403, V				
332:2	402, NR				
332:3-4	402, V				
332:5-7	402, V, 611				
332:10	402, NR				
332:11-15	402, V, NR				
332:16-19	402, V				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
332:20-23	402, V				
332:24-333:3	402, V, F, M				
333:6	402, V, F, M				
333:7-11	402, V, F, M				
333:12-18	402, V, F				
333:19-23	402, V, F, Spec, 611				
334:3	402, V, F, Spec, 611				
334:4-25	V, F, I, Spec	311:4-13, 311:24-312:17			
335:2-6	402, V, F, Spec, 611				
335:9-10	402, V, F, Spec, 611				
335:11-12	402, V, F, Spec, 611				
335:15-16	402, V, F, Spec, 611				
335:19-22	402, V, F, Spec, 611				
335:23-25	402, V				
336:4	402, V, NR				
336:5-22	402, V				
336:23-25	402, V, 611				
337:4-6	402, V, 611				
337:8-11	402, V, 611				
337:12-17	402, V, 611				
337:18-22	402, V, 611				
337:25-338:3	402, V, 611				
338:6-7	402, V, 611, NR				
338:8-9	402, V, 611				
338:10	402, V, 611				
338:13-14	402, V, 611				
338:15-25	402, I, V, 611, M	227:23-228:9 , 255:20-256:17,	IMP	256:18-257:2, 257:7-8,;	H, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
		264:14-17, 264:22-265:8, 265:10-266:7		257:11-17	
339:4-7	402, V, 611, M				
339:8-10	402, I, V, Hyp, 611, 701				
339:13-14	402, I, V, Hyp, 611, 701				
339:15-19	402, I, V				
339:20-25	402, I, V				
340:2-5	402, V, 611, M				
340:8	402, V, 611, M				
340:9-13	402, I, V, M	227:23-228:9, 254:323-256:17	IMP		
340:14-15	402, V, C, M				
340:18-341:4	402, V, C, M				
341:5-6	701				
341:7-10	402, I, V, 611, M				
341:15-19	402, I, V, 611, M				
341:20-22	402, I, V				
341:23-342:5	402, F, Spec				
342:6-8		158:20-159:9, 179:9-16, 180:5-17,	IMP		
342:9-13	V				
342:14-15	402, I, V, 611, M				
342:18	402, I, V, 611, M				
342:19-20	402, I, V, 611, M				
342:23-25	402, I, V, 611, M				
343:2-3	402, I, V, M				
343:4-5	402, I, V, M				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
343:8-10	402				
343:11-17	402, I, V, 611, M	150:9-10, 150:19-151:5, 151:8-24, 152:12-153:16, 158:5-12; 238:9-19, 238:21, 239:8-240:2, 240:6, 240:17-242:19, 311:4-312:20, 343:20-23	IMP		
343:24-344:5	402, I, V, 611, M	311:4-312:23, 313:4-10	IMP		
344:8	402, I, V, 611, M				
344:9-17	403, I, V	200:3-16, 201:2-15, 201:20-21	IMP		
344:18-21	402, 611				
344:24	402, 611				
344:25-345:4	402, I, V, 611, M				
345:7-8	402, I, V, 611, M				
345:9-11	402				
345:12-14	402, I, V, 611, M				
345:20-25	402, I, V, 611, M	346:2-3, 346:6-13		346:14-15, 346:18-22, 346:25-347:2	402, 403
346:2-3	402, I, V, 611, M				
346:6	402, I, V, 611, M				
346:7-8	402, I, V, 611, M				
346:9-13	402, I, V, 611,				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
	M				
347:3-11	402, I, V, 611				
347:14-15	402, I, V, 611				
348:6-13	402, I, V	12:25-13:8, 13:11-15, 13:19-23, 14:2-24	IMP		
348:14-15	402				
348:16-17	402, F, V, 611, 701				
348:20-22	402, F, V, 611, 701				
348:23-25	402, F, V, 701				
349:5-21					
349:22-350:3					
350:4-5					
350:6-7					
350:8-12					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
5:11-14					
5:15-17					
5:20-22					
8:21-23					
8:24-25					
9:1-4					
9:5-6					
9:7-9					
9:13-16					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
9:17-22					
10:14-17					
10:25-11:2					
14:4-8					
14:9-11					
14:15-16	M, N				
14:18-22					
14:23-25					
15:1-5	611				
15:6-9					
15:10-11					
15:12-13					
15:14-15					
15:16-18					
15:19-21					
15:22-16:2					
16:3-4					
16:5-7					
16:8-13					
16:14-16					
16:17-19					
16:20-22					
16:23-24					
16:25-17:1					
17:2-3					
17:6-8					
17:9-11					
17:12-14					
17:15-16					
17:17-20					
17:21-24					
17:25-18:1					
18:2-4					
18:6-9					
18:14-16					
18:23-19:2	I	19:3-10			
29:24-30:4					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
30:5-12					
31:5-7					
31:8-11					
31:12-14					
31:15-18					
31:19-23					
31:24-25					
32:1-2					
32:7-8 32:10-13	V				
32:14-17	N, M				
32:18-21					
32:22-23 32:25					
33:1-3					
33:4-5					
33:6-8					
33:9-15					
33:16-19 33:21-24	M				
33:25-34:3					
34:4-6					
34:7-8					
36:15-17					
38:1-4					
38:5-6					
38:7-13					
38:14-18					
39:2-5					
39:6-12					
39:13-14					
39:15-17	I	39:18-25			
40:1-3					
40:4-8					
40:9-11					
40:12-14					
40:15-16	C				

Brad Champion May 4, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
40:18-21					
40:22-41:1					
42:11-14					
42:15-18					
43:2-4					
43:6-16					
43:17-19					
43:20-44:3	402, 403, V, M, Spec, F				
44:4-17	Arg, M, 402, 403				
45:18-22	701, V, F				
46:22-24	F, V				
47:1					
47:2-6					
47:7-12					
47:13-15					
47:16-19					
47:20-21	701, V, F				
47:23-24					
47:25-48:7					
48:8-10					
48:11-12					
48:13-15	701, V, F, I	48:16-49:5			
50:11-12					
50:13-17					
51:4-6					
51:7-12					
51:13-14					
51:15-16					
51:17-18					
51:19-23					
53:10-13	M, N, 701				
53:14-15					
53:16-23	701, V, F				
53:24-54:1					
54:3					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
54:4-8	701, F, Spec, V				
54:9-10	611				
54:11-16	AF, 401, V				
54:17-19	Spec				
54:21-55:3	M, 701				
55:4-7	Hyp, Spec, F, V				
55:10-22	M, Spec, F, V				
55:23-56:1	M, 701				
65:12-15	N				
65:16-18					
65:19-22					
65:23-66:4					
66:5-8					
66:9-10					
69:12-14	401				
69:15-16					
69:17-18					
70:1-3					
70:4-5					
70:6-8					
70:9-11	401				
70:12-16	401, Arg				
70:17-19	401				
70:20-22	401, AF, Arg				
71:8-11	401				
71:12-15	401				
71:16-19	401				
71:20-22	401				
71:23-25	401				
72:1-2	401, F				
72:3-5	401, F				
72:6-8	401, F				
72:9-12	401, F				
72:20-23	401, F				
72:24-25	401, F				
73:1-3 73:5	401, F				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
73:6-8	401, F				
73:9-12	401, F				
73:13-14	401, F				
73:15-16	401, F				
73:17-20	401, F				
73:21-23	401, F				
74:7-16	401, F				
74:17-20	401, F				
74:21-75:1	401, F				
75:2-4	401, F				
75:5-7	401, F				
75:8-11	401, F				
78:4-5 78:7	Spec, F				
78:8-11					
78:12-14 78:16-18	Spec, F, 701				
78:19-21	Spec, F, V, 701				
78:22-23					
78:24-79:3	Spec, F, V, 701				
79:4-7					
79:8-13	Arg, N, M, 701, 401				
79:14-16 79:18-20	Arg, 611, M, 701, V				
79:21-25	N, M, 701, 401, V				
80:1-5	Arg, 701, 401, V				
81:1-4					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
8:13-16 8:22-25					
10:21-24	V	9:1-4	IMP		
10:25-11:2	V, F, Spec				
11:3-5 11:8-23	V, F, Spec, Arg, NT				
15:9-10 15:13	V	15:1-7	OBJ	12:3-7 13:12-13 13:16	
16:6-9					
16:10-12		16:16-25 17:1-7			
16:13-15		16:16-25 17:1-7			
17:8-10		16:16-25 17:1-7			
17:11-13		16:16-25 17:1-7			
17:20-21 17:23-24	V, 402	17:16-18	OBJ		
18:2-3 18:6-8					
18:9-10 18:12					
18:14-15 18:17-18	V				
18:20-21 18:23					
18:25-19:2 19:4					
19:6-7 19:9-10	V, 402				
19:12-14					
19:16					
19:18-21					
19:22-25					
20:1-2					
20:3-6					

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
20:11-12					
20:13-15					
20:16-17					
20:18-21					
20:21					
20:24					
21:2-4					
21:7					
21:9-12					
24:3-6					
24:8-9					
24:11-13					
24:14-17					
24:20					
24:23					
24:25-25:2					
25:5-6	V, Spec, F, 402				
25:9					
25:11-13					
25:14	H	49:10-51:18			
25:17-19					
25:21-22		49:10-51:18			
25:23-24	N, 402	49:10-51:18			
26:1-2					
26:4-5	N, H, 402	49:10-51:18			
26:6-10	H	49:10-51:18			
26:11-13		49:10-51:18			
26:14-23	N, H, 402	49:10-51:18			
26:24-25	N, H, 402	49:10-51:18			
27:1-2					
27:4-5					
27:7					
27:10					
27:12-13					
27:15-18					
27:19-20					
27:21-22					

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
27:23-24					
27:25-28:1					
28:2-3 28:6					
28:8-9					
28:10 28:13-14	N				
28:16-17					
28:18-29:1	H				
29:2-3					
29:4-5 29:7	H				
29:9-11	H				
29:12-14	H				
29:17-19	H				
30:2-3 30:5-6	H				
30:8 30:10	Spec, 402				
30:12-13 30:16-18	V, 402				
30:20-23	V, 402				
30:25					
31:2-4 31:10 31:12	V, 402				
31:14-15	V, Spec, 402				
31:16-17 31:21					
31:22-23 31:25	V, 402				
32:2-3	V, 402				
32:4-8 32:10-11	V, H, 402				
32:13-15 32:18-33:6	V, H, 402				
33:8-11					

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
33:12-13 33:15	H				
33:17 33:19-34:13	H, 402				
34:15-17 34:20 34:22	Arg, H, 611, M, 402, 403	67:23-68:16	OBJ, IMP		
34:24-25	H, 402, 403	67:23-68:16	OBJ, IMP		
35:1-5	H, 611, M, 402, 403				
35:8-9 35:11-36:12	Arg, H, 611, M, 402, 403				
36:14-17	Arg, H, 611, M, 402, 403				
36:18-19 36:21-37:8	Arg, H, 611, M, 402, 403				
39:2-9 39:12-16	Arg, V, M, 402, 403	72:3-20	OBJ, IMP		
39:18-21 39:25-40:2	Arg, V, M, 402, 403	72:3-20	OBJ, IMP		
40:3-14 40:16	Arg, V, M, H, 402, 403	72:3-20	OBJ		
40:18-20 40:23-41:2	Arg, V, M, H, 402, 403	72:3-20	OBJ		
41:4-5 41:7-10	Arg, V, M, H, 402, 403	72:3-20	OBJ		
41:12 41:15-19	Arg, H, 402, 403	72:3-20	OBJ		
41:21-42:3	H, 402, 403	72:3-20	OBJ		
42:5 42:7	V, 402, 403	72:3-20	OBJ		
42:9 42:13-15	N, 402, 403	72:3-20	OBJ		
42:16-17	N, 402, 403	72:3-20	OBJ		
42:18-19 42:21-25	Arg, V, M, H, 402, 403	72:3-20	OBJ		
43:2-4 43:6-16	Arg, V, M, H, 402, 403	72:3-20	OBJ		

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
43:18-21 43:23-44:8	Arg, V, M, H, 402, 403	72:3-20	OBJ		
44:10-11 44:13-19	Arg, V, M, H, 402, 403	72:3-20	OBJ		
44:21-25 45:3-4	Arg, V, M, H, 402, 403				
45:6 45:8	402, 403				
45:10-12	402, 403				
45:13-15	402, 403				
45:16-18 45:20-46:12	Arg, V, M, H, 402, 403				
46:14-15					
46:16-17					
46:18-20 46:22-23	Arg, V, M, 402, 403				
46:25 47:2-12	N, V, 402, 403				
47:14-19 47:22-48:2	Arg, V, M, H, 402, 403				
48:4-7 48:10-12	Arg, V, M, H, 402, 403	67:23-68:16	OBJ		
48:14-17 48:20-21	Arg, V, M, H, 402, 403	67:23-68:16	OBJ		
48:23-49:1	Arg, V, M, H, 402, 403	67:23-68:16	OBJ		
51:20-22 51:24-52:14	H	49:10-51:18	OBJ		
52:16-17 52:19-53:7	Spec, F, 402				
53:9-10 53:12-18	H, 402				
53:20-21 53:24-25	H, 402				
54:2-3 54:6-7	H, 402				
54:9-12 54:21-24	H, 402				

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
54:25-55:9	H, 402				
55:10-11 55:13	V, 402				
55:15-20	V, 402				
55:21-23	V, 402				
55:25					
56:2-3 56:5	V, 402				
56:7-8 56:10-11	V, 402				
56:13-14					
56:15-17	V, 402				
56:18-19 56:21-57:5	H, V, 402, 403				
57:7-9 57:11	H, V, 402, 403				
57:13-14 57:17-18	Hyp, V, 402, 403				
57:22-24 58:1	V, 402				
58:3-4 58:6-12	AF, V, 402				
58:14-15 58:18-23	AF, V, 402				
58:25-59:1					
59:2-3	L, V, 402				
59:4-5	V, 402				
59:6-8 59:10	L, AF, V, 402				
59:12-14					
59:15-16 59:18-22					
59:24 60:1	V, 402, 403				
60:3-9					
60:10-13					

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
60:14-15					
60:16-18					
60:19-21 60:23	V, 402, 403				
60:25-61:1	V, 402, 403				
61:2-3					
61:4-5					
61:6-16					
61:17-23					
61:24-25 62:2-4	Hyp, Spec, F, 701, V, 402, 403				
62:6-10 62:13-15	Hyp, Spec, F, 701, V, 402, 403				
62:17-18	Hyp, Spec, F, 701, V, 402, 403				
62:19-22 62:25-63:1	Hyp, Spec, F, 701, V, 402, 403				
63:3-6	Hyp, 701, V, 402, 403				
63:7-8					
63:9-10 63:13-16	Hyp, Spec, F, 701, V, 402, 403				
63:18-20 63:22-24	701, V, 402, 403				
64:2-5	Hyp, Spec, F, 701, V, 402, 403				
64:9-16	Hyp, Spec, F, 701, V, 402, 403				
64:17-18 64:21-22		64:19			
64:24-65:2					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
65:3-4 65:6					
65:8-9					
65:10-12 65:15-16					
65:18-22					
65:23-24					
66:1					
66:3-7 66:9	V, 402				
66:11-13	V, 402				
66:16-17 66:20-23	H, V, 402				
66:25-67:1	Hyp, Spec, F, H, V, 402				
67:2-3 67:5	Hyp, Spec, F, H, V, 402				
67:17-19 67:21	Hyp, Spec, F, H, V, 402, 403	67:23-68:16	OBJ, IMP		
68:18-21	V, 402				
68:25-69:4	V, 402				
69:5-7	V, Spec, 402				
69:8-21	V, 402				
69:22-24					
69:25-70:1					
70:2-3	402, 403				
70:4-5 70:8-10	Spec, 402				
70:12-13 70:15	V, 402				
70:17-18 70:21-22	Spec, V, 402				
70:24-25 71:2	V, 402	71:4-9	IMP		
71:10-12	402, 403				
71:13-15 71:21-22	H, V, 402, 403				

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
71:23-24 72:1	H, V, 402, 403				
72:21-23					
73:1-2	H, 402				
73:8-13	H, 402				
73:14-15	H, 402				
77:24-78:2 78:4-8	H, 402, 403				
78:10-12	H, 402, 403				
78:13-15	H, 402, 403				
78:16-17	H, 402, 403				
79:23-24 80:6-15 80:17-19	H, 402, 403	78:20-79:22	OBJ		
80:21-23 80:25	H, V, 402, 403				
81:2-7	H, V, 402, 403				
81:8-10 81:13-25	H, F, Spec, V, 402, 403				
82:3 82:9-14	H, 402, 403				
82:15-19 82:21	H, 402, 403				
82:23-83:2	H, 402, 403				
83:3-6 83:8-10	H, V, 402, 403				
83:12-13					
83:14-19	H, 402				
83:20-22	H, N, 402				
83:25-84:7					
84:9-10	F, 701, 402				
84:11-14	H, 402				
84:15-17 84:19 84:21-85:1	H, V, M, 402, 403				
85:3-6					
85:7-12					

Sema Conde March 8, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
85:14-17					
85:19-21					
85:22-86:3		86:4-87:6	OBJ		
87:7-8		86:4-87:6	OBJ		
87:10-13					
87:15-16					
87:17-20					
87:21-88:1					
88:2-5					
88:6-8		88:25-89:19	OBJ		
89:23-90:1	P, 402, 403				
90:2-3	P, 402, 403				
90:4-5	P, 402, 403				
90:6-7	P, 402, 403				
90:8-9	P, 402, 403				
90:10-13	402, 403				
90:14-15	402, 403				
90:16-17	402, 403				
90:18-25	H, 402, 403				
91:1-3	H, 402, 403				
91:15-18					
91:19-21	H, 402, 403				
91:22-92:2	H, Arg, M, 402, 403				
92:3-4					
92:5-8	H, Arg, M, L, 402, 403				
92:9-14	H, 402, 403				
92:15-17					
92:18-21	Spec, F, 402				
92:22-25	Spec, F, 402				
93:1-2	402				
93:25-94:3	402				
94:4-7	402				
94:8-9	402				
94:10-11	402				
94:12-16	402				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
94:17-19	402				
94:20-21	402				
94:22-95:2	402				
95:3-7	402				
95:8-9 95:13-17	P, 402				
95:18-19	P, 402				
95:20-22	P, 402				
95:23-96:1	P, 402				
96:2-7	402				
96:8-9 96:12-24	402				
97:2-3 97:5	H, 402				
97:7-12	N, H, 402, 403				
97:13-17	N, H, 402, 403				
97:18-98:5	H, 402, 403				
98:6-9	402, 403				
98:10-13					
98:14-22	F, Spec, 402, 403				
98:23-99:2	402, 403	100:1-101:2	OBJ, REL		
101:3-10	H, 402, 403	100:1-101:2	OBJ, REL		
101:22-102:1	H, 402, 403				
102:2-3 102:5-6	H, P, 402, 403				
102:8-11	H, P, 402, 403				
102:12-15 102:20-22 104:6-7 104:15	H, P, 402, 403	103:7-8; 105:2-25; 107:10-21; 107:23-108:20; 116:22-120:24	OBJ, IMP	106:1-5 106:7-21 106:24 107:1-3 107:5-7	H, 402, 403
104:17	H, P, 402, 403	103:7-8; 105:2-25;	OBJ, IMP	106:1-5 106:7-21	H, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
		107:10-21; 107:23-108:20; 116:22-120:24		106:24 107:1-3 107:5-7	
104:21-22 104:24	H, P, 402, 403	103:7-8; 105:2- 25; 107:10-21; 107:23-108:20; 116:22-120:24	OBJ, IMP	106:1-5 106:7-21 106:24 107:1-3 107:5-7	H, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
8:11-12		22:18-23:6	IMP	23:7-15	
10:5-6	402, 403				
11:2-4	H, 402, 403				
11:10-12	402, 403				
11:13-17	402, 403				
11:18-19	402, 403				
11:20-23	402, 403				
11:24-12:2	402, 403				
12:3-5	402, 403				
12:6-7	402, 403	13:16-20			
12:8-10	402, 403	13:16-20			
12:11-13	402, 403	13:16-20			
12:14-17	402, 403	13:16-20			
12:18-19 12:21	402, 403	13:16-20			
13:6-11 13:14	402, 403	13:16-20			
14:8-14	402, 403	13:16-20			
14:15-17	402, 403	14:18-15:4			
15:5-7	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
15:8-10	402, 403	15:11-17:6			
17:1-6	402, 403	15:11-17:6			
17:7-9	402, 403				
17:10-16	402, 403				
24:1-2		22:18-23:6	IMP	23:7-15	
24:3-5		22:18-23:6	IMP	23:7-15	
24:12-13					
24:14-15					
24:16-19					
24:25-25:2					
27:16-20		25:23-27:14			
30:10-12	402, 403				
30:13-15	402, 403	30:16-32:7	OBJ		
32:11-13	402, 403	30:16-32:7	OBJ		
33:22-24	402, 403				
33:25-34:1	402, 403				
34:2-5	402, 403	34:6-14			
34:15-18	402, 403	34:6-14, 34:19-35:1			
37:24-38:3	H, 402, 403				
38:4-5	H, 402, 403				
38:6-7	H, 402, 403				
38:8-11	H, 402, 403	38:12-39:3	OBJ		
39:15-18	H, 402, 403	38:12-39:3			
40:21-23					
40:24-25 41:2	402, 403	41:4-17	OBJ		
44:3-6					
44:7-9					
44:10-11					
44:12-13					
44:14-16 44:19					
44:21-22 44:24-25					
45:2-4					
45:5-6		45:7-46:5	OBJ		

Tracey Cunningham December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
49:3-7	H, 402, 403				
49:8-10	402, 403				
49:11-13	H, 402, 403				
49:14-15	H, 402, 403				
49:16-17	402, 403				
49:18-21	H, 402, 403				
49:22-24	402, 403				
49:25-50:1	402, 403				
50:2-3	402, 403				
50:4-6	402, 403				
50:9-10	402, 403				
50:20-21	402, 403				
50:22-24	402, 403				
51:2-4	402, 403				
51:6-11	402, 403	51:12-18			
53:2-5	402, 403				
53:6-8	402, 403				
53:9-11	402, 403				
53:12-14	402, 403				
53:15-17	402, 403				
54:25-55:2 55:6	402, 403				
59:13-16 59:18	402, 403	60:7-19	OBJ		
60:21-24 61:9-11	402, 403	60:7-19	OBJ		
62:14-19	H, 402, 403				
63:5-9					
63:10-12	H, 402, 403				
63:13-14					
63:15-19	H, 402, 403				
63:20-23	H, 402, 403				
63:24-64:3	H, 402, 403				
72:16-19	402, 403				
72:23-24	402, 403				
73:2-4	402, 403				
73:5-6	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
73:16-18 73:20	402, 403				
73:22-23 74:2-3 74:6-7	Spec, Hyp, 402, 403				
74:9 74:12	402, 403	74:14-19	OBJ		
75:15-17					
75:24-76:4					
76:5-12					
76:13-15					
76:16-18					
76:19-22					
76:23-25					
77:25-78:5	H, 402, 403				
78:13-14					
78:23-79:1					
79:2-3 79:5-6					
83:15-20	H, 402, 403				
83:21-84:9	402, 403				
84:15-19					
87:10-12					
87:13-15					
87:16-18					
87:25-88:3	H, 402, 403				
88:4-5					
93:3-5 93:8					
93:10 93:13					
98:7-12	H, 402, 403				
98:13-16	H, 402, 403				
98:17-20					
103:12-14					
103:20-23					
105:8-13					

Tracey Cunningham December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
105:14-15					
105:16-17					
106:8-12					
106:13-18	H				
106:19-23	H				
106:24-107:1	H				
107:25-108:4					
108:5-6					
108:7-9					
108:10-11					
109:11-16	H, 402, 403				
111:13-16					
111:17-19					
111:20-22 111:25	402, 403	114:7-115:9	OBJ		
112:2-3	402, 403	114:7-115:9	OBJ		
112:4-5	402, 403	114:7-115:9	OBJ		
112:6-7	402, 403	114:7-115:9	OBJ		
112:8-9	402, 403	114:7-115:9	OBJ		
113:9-12					
113:13-14					
113:23-114:6	H, 402, 403	114:7-115:9	OBJ		
121:21-23					
121:24-122:1					
123:7-10					
123:11-12					
123:13-14					
123:15-17					
123:23-24					
124:7-8					
124:9-11					
124:22-125:2					
125:3-5					
125:6-7					
125:8-11					
125:14-16					
125:17-20					

Tracey Cunningham December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
125:21-23					
125:24-25					
126:1-2					
126:3-4					
126:5-8					
126:13-16					
126:23-24					
126:25-127:1					
127:2-5					
127:6-8					
127:9-11					
127:15-16					
127:17-18					
127:19-20					
127:21-22					
127:23-25					
128:4-6					
128:7-8					
128:9-12					
128:13-15					
128:16-19					
128:20-22					
128:23-24					
128:25-129:1					
129:2-4					
129:5-6					
129:7-8					
129:9-15					
130:4-9					
130:10-12					
130:24					
131:2-3					
131:5-8					
131:9-12					
131:13-16					
132:22-24					
133:2-5					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
133:6-7					
133:8-9					
133:10-12					
133:13-15					
133:16-19					
133:20-21		133:22-134:10			
134:14-16		133:22-134:10			
134:17-19					
134:20-22					
134:23-25					
135:1-8					
135:9-13					
135:14-15					
135:16-17					
135:18-20					
135:21-22 135:25-136:5	Spec, 402, 403				
136:7-10 136:13	Spec, 402, 403				
136:15-18	Spec, 402, 403				
136:19-20	Spec, 402, 403				
136:21-137:1	402, 403				
137:2-3 137:6-7	H, 02, 403				
137:9-11	H, 402, 403				
137:14-18	H, 402, 403				
139:2-4					
139:7-9					
139:10-12					
139:20-21					
143:19-21					
143:22-23					
143:24-144:1					
144:2-4					
144:5-7					
144:8-10					
146:1-5	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
146:6-7	402, 403				
146:8-11	402, 403				
147:21-25					
148:1-8					
148:9-13					
148:14-16		148:17-154:4	IMP		
154:18-19		148:17-154:4	IMP		
154:20-155:3		155:4-156:23			
156:5-13		155:4-156:23			
156:14-17		155:4-156:23			
156:18-23		155:4-156:23			
157:3-4					
157:5-7					
157:8-9					
157:10-12					
157:17-19					
157:20-23					
157:24-158:4					
158:13-16					
158:17-18					
159:9-11					
159:12-15					
159:16-20					
159:21-22	402, 403	114:7-115:9	IMP, OBJ		
164:25-165:2					
165:3-4					
165:5-9		165:10-18			
172:18-19					
172:22					
172:24-25					
173:14-15					
173:16-18					
173:23-174:2					
174:3-4					
174:5-7					
174:8-9					
174:11-15					

Tracey Cunningham December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
174:16-18					
174:19-21					
174:22-23					
176:5-7	H				
176:8-9	H				
178:13-15	Spec, H				
178:16-18	H				
178:19-179:7	H				
179:8-9					
179:10-17					
179:18-19					
179:20-23					
180:3-11		180:12-23			
180:24-181:6		180:12-23, 181:6-9	INC		
182:13-14					
182:15-16					
182:17-18					
182:19-23					
198:10-13					
198:14-15					
198:18-19					
201:4-6					
201:8					
201:10-14					
201:15-18					
201:19-24					
201:25-202:2					
202:3-6					
205:6-12					
205:13-16					
205:17-19					
205:20-21					
205:22-25					
206:1-4		206:5-20			
206:21-23		206:5-20			
207:4-10	H, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
207:11-12					
207:13-14					
207:15-17					
207:18-19					
207:20-23					
208:5-7					
208:8-10					
208:21-209:2	H, 402, 403				
209:3-5					
209:6-8					
209:9-11					
209:12-17	H, 402, 403				
209:21-25					
210:25-211:2					
212:16-19	H, 402, 403				
214:8-13	H, 402, 403				
214:14-20	H, 402, 403				
215:24-216:2	H, 402, 403				
216:6-8					
216:9-11					
216:12-13					
216:14-15					
216:16-18					
216:19-20					
216:21-217:4	H				
217:5-8					
217:9-12					
217:13-17					
217:18-22					
217:23-218:3					
218:4-5					
218:6-11	H				
218:12-15	402, 403				
218:16-18					
218:25-219:4	402, 403				
219:5-6					
219:7-8					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
219:9-11		219:12-220:11	OBJ		
220:13-15		219:12-220:11	OBJ		
220:16-17					
220:18-19					
220:20-22					
221:6-24					
222:8-14	H, 402, 403				
222:20-23					
224:3-9 224:12-14	H, 402, 403				
224:16-21	H, 402, 403				
225:14-19	Spec, H, 402, 403				
225:20-23 226:3-7	Spec, H, 402, 403				
226:14-17 226:19-227:8	H, 402, 403				
227:14-17					
228:6-9 228:12-13	H, 402, 403				
228:15-16					
228:17-20					
228:21-25					
229:1-2	H, 402, 403				
229:3 229:5-9	H, 402, 403				
230:4-8					
231:18-25	H, 402, 403				
232:1-5					
234:16-21	H, 402, 403				
234:22-235:1	Spec, H, 402, 403				
235:2-3					
235:4-5 235:8-9					
235:11-13					
235:14-16					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
235:17-19					
235:22-25					
236:1-2					
236:14					
236:15-16					
236:17-18					
237:5-7					
240:6-8					
240:9-11					
241:5-8	H, 402, 403				
241:9-13	H, 402, 403				
244:8-10	H, 402, 403				
244:11-12	H, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:17-18		38:19-41:7	IMP, OBJ, HRS		
6:19-20		42:2-43:10	IMP, OBJ, HRS		
6:21-23		53:17-57:20	IMP, OBJ, AMB, LC, HYP, FND, 403		
14:7-14		96:23-97:4	IMP		
15:4-7		136:25-137:8	IMP		
23:5-13		152:16-153:8	IMP		
23:14-16		154:25-156:11	IMP, OBJ		
23:17-22		234:8-234:15	IMP, AMB, SPC, FND, OBJ		
24:23-25:3		240:14-240:14	IMP		
25:16-18		254:23-255:10			
27:21-28:2		260:23-261:11	IMP, HRS, MIL		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
28:3-10		261:24-264:5	IMP, LC, OBJ, MIS, MIL		
28:11-24					
28:25-29:10					
29:11-14					
29:15-20					
29:21-30:3					
30:9-13					
30:14-17					
30:18-20					
30:21-31:9					
31:24-32:2					
32:3-6					
34:5-9					
34:10-13					
34:17					
34:18-23					
34:24-35:2					
35:3-11					
35:12-18					
35:19-24					
36:4-10					
36:11-17					
36:18-24					
36:25-37:8					
41:8-12					
41:17-21					
43:11-14					
43:19-20					
43:21-25					
44:2-4					
44:8-10					
44:11-13					
44:17-21					
44:22-25					
45:5					
45:6-8					

Roger Stuart Dolden September 26, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
46:11-14					
46:18					
46:19-47:4					
47:5					
47:10-22					
47:23-48:4					
52:5-9					
52:14-21					
52:22-53:4					
53:5-10					
53:11-16					
71:25-72:6					
86:17-19					
86:22-87:2					
87:3-88:8					
89:23-90:2					
90:5-9					
90:10-91:5					
94:12-96:22					
102:21-23					
103:6-9					
103:10-11					
104:11-17					
105:4-5					
105:6-14					
109:5-110:4					
135:2-4					
135:9-13					
135:14-136:19					
136:20-24					
138:4-7					
138:8-22					
142:19-23					
151:17-152:15					
154:25-155:4					
155:8-19					
158:11-14					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
158:15-25					
159:2-6					
159:7-8					
159:9-16					
160:18-23					
160:24-161:6					
180:21-25					
181:2-8					
181:9-10					
181:11-13					
183:5-14					
199:17-25					
211:4-14					
211:15-17					
211:18-212:11 212:13					
232:20-23					
232:24-233:4					
233:5-17					
239:14-17 239:21					
239:22-240:9					
240:10-14 240:17-241:2					
250:11-15 250:19-22					
250:23-251:4 251:10-18					
251:19-25					
252:20-253:8					
253:9-11					
254:11-15					
254:16-22					
260:13-19					
260:20-22					
261:12-23					
264:12-16					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
264:17-22					
264:23-265:3					
265:4-6					
265:7-9					
266:2					
266:9-13					
269:17-19					
269:20-21					
269:22-23					
269:24-270:2					
278:21-279:3					
279:4-5					
279:6-8					
279:12-16					
279:17-19					
289:10-13					
289:14-16					
289:17-23					
289:24-290:4					
290:5-8	F, Spec				
293:4-7	L, V				
293:10-15	L, V				
298:19-25					
299:8-10	Spec, L, V				
299:12-18					
299:19-300:9					
301:19-22					
301:23-302:5					
302:6-8					
302:9-11					
302:12-303:2					
303:3-6					
303:19-304:5					
304:8-17					
304:18-305:2	L, V				
305:7					
305:15-21					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
305:22-25 306:4-7	L, V				
306:8-10					
307:8-10					
307:11-14					
307:15-17					
307:18-25					
308:14-309:4	L, V				
309:21-310:3 310:5	L, V				
310:6-9	L, V				
310:10-13	L, V				
310:14-17 310:19-20	L, V				
314:2-6					
314:12-16					
317:2-7 317:10	L, V				
317:11-14 317:16 317:18	L, V				
317:19-23	L, V				
318:2-6 318:9	L, V				
318:10-14 318:17	L, V				
322:20-24					
322:25-323:7					
330:11-13					

Sherylle Mills Englander October 26, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
7:15-16					
7:17-18					
7:19-20	402, V				
7:21-22	402				
7:23-24	402				
7:25-8:2	402				
8:3-4	402				
8:5-9	402				
8:10-20	402				
8:21-9:1	402				
9:2-6	402				
10:6-8					
10:9-10					
10:11-13	402				
10:14-15	402				
10:16-17	402, I, V				
10:18-20	402, V				
10:21-23	402				
16:3-4					
16:6-17					
16:18-19	402, V				
24:5-14	402, I, V				
24:15-17	402, I, V				
24:18-22	402, I, V				
49:9	402, 403				
49:13-16					
49:19-21					
49:22-24	402				
50:2					
50:3-8					
50:9-13					
50:14-17	402				
50:20-24					
51:1-3	402				
51:4-12					
54:19-22		29:4-17	IMP		
54:23-25					

Sherylle Mills Englander October 26, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
55:1-2 55:4-8	402, C				
55:9-12 55:15-16	402	96:2-4, 96:7-13, 96:17-97:1, 97:4-6, 97:9	IMP	95:13-15, 93:17- 23, 95:25-96:1, 97:10-14, 97:17- 20	Spec, 402, 403
64:20-22 65:2	402, 602, F, AF, S	59:15-17, 59:21, 66:3-6, 66:9	IMP	59:22-23, 59:25- 60:8, 60:11-61- 9, 61:13-17, 66:14-17, 66:21- 25	Hyp, Spec, 402, 403
77:23-25 78:3-7	402				
78:8-10	402				
81:2 81:6-13 81:17-24	402, 602, F, Spec, C, AF, S	80:2-4, 80:7- 81:1,			
81:25-82:4 82:8-15	402, S	82:16-20			
105:9-12					
105:13-23					
115:10-15					
115:16-21		Disclosure not required in any particular form			
115:22-116:16					
116:17-21					
116:22-24					
116:25 117:3-6					
117:13-14 117:18-25	I	117:15			
118:1-3 118:6-7	402, S				
118:8-10 118:13	402, S	120:1-121:14; 186:20-199:15	IMP, INC, OBJ	186:1-3, 186:6- 10, 186:14-19	Spec, BSD, 402, 403
125:9-12					
125:13-17		105:24-107:11	IMP	107:12-22	H, 402, 403

Sherylle Mills Englander October 26, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
125:18-20		201:6-202:1, 202:3-204:16	IMP, LDG, AMB	201:2-5	
128:8-13					
128:14-18					
128:19-129:1					
131:22-132:2					
181:22					
182:1-4					
182:5-7					
182:8-9					
182:10-15					
182:16-17 182:20-24	402, F, S				
183:7-9 183:12-20	402, F, S				
187:16-22 187:24-188:1	402, F, S				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
7:11-19					
7:20-23					
9:10-12					
9:13-14					
9:24-10:1					
10:2-4					
10:5-8					
10:9-10					
10:11-15					
10:16-17					

<p style="text-align: center;">Alan Gold March 4, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
10:18-20					
10:21-22					
11:10-11	402	11:16-18			
11:12-13	402				
11:14-15	402				
12:17-20	402	12:10-16		11:19-20	
12:21-22	402	12:10-16		11:19-20	
12:23 13:3-8	402	12:10-16; 13:12-15		11:19-20	
13:9-11	402	12:10-16; 13:12-15		11:19-20	
15:25-16:2					
16:3-4 16:8-9					
16:10-11					
16:17-20					
17:6-8 17:12-16		18:21-19:11	OBJ		
17:17-22		18:21-19:11	OBJ		
17:23-25		18:21-19:11	OBJ		
18:1-4		18:21-19:11	OBJ		
18:5-7		18:21-19:11	OBJ		
18:8-10		18:21-19:11	OBJ		
18:11-13 18:19		18:21-19:11	OBJ		
21:22-25					
22:1-2					
23:6-9	402; 403				
23:10-13	402; 403; Spec				
23:14-15					
24:7-8	402; 403; Spec				
24:9-12	402; 403; Spec				
24:13-14	402; 403; Spec				
25:9-11	402; 403				
25:12-14	402; 403				
29:22-23					
30:3-4					

<p style="text-align: center;">Alan Gold March 4, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
30:5-7	402				
30:8-11					
30:12-14					
30:15-16	Spec				
30:17-21					
30:22-25					
31:18-22	701; Spec	32:9-13; 31: 17-18; 47:19-48:12	OBJ		
31:23-24	701; Spec	32:9-13; 31: 17-18; 47:19-48:12	OBJ		
31:25-32:4	701; Spec	32:9-13; 31: 17-18; 47:19-48:12	OBJ		
32:5-8	701; Spec	32:9-13; 31: 17-18; 47:19-48:12	OBJ		
32:14-16	701; Spec	32:9-13; 31: 17-18; 47:19-48:12	OBJ		
32:17-18	701; Spec	32:9-13	OBJ		
32:19-21	701; Spec	32:9-13	OBJ		
32:22-24	701; Spec	32:9-13	OBJ		
44:6-14	701; Spec	45:6-8	OBJ	36:2-14	402, 403
44:15-20	701; Spec	45:6-8	OBJ	36:2-14	402, 403
44:21-45:1	701; Spec	45:6-8	OBJ	36:2-14	402, 403
47:19-21 47:24-25	402; I	47:22-23	OBJ		
48:2-3 48:7	402; I	48:4	OBJ		
48:8-12	701; Spec; V; 611(c)				
48:13-15					
48:16-19					
48:20-21					
48:22-24					
48:25-49:5					
49:21-23					
49:24-25					
58:3-6	I	58:7	OBJ		

<p style="text-align: center;">Alan Gold March 4, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
58:8					
58:10-12	402; 403; 611(c)				
58:13-14	402; 403; 611(c)				
58:15-16					
60:8-11					
60:25-61:16					
62:4-5 62:9-11	402; 403; NT				
62:12-17	402; 403; NT				
69:17-23	402, 403				
69:24-70:2	402, 403				
70:3-5	402, 403				
70:6-10	402, 403, Spec				
70:11-13	402, 403				
70:14-24	402, 403				
73:13-20	NT	73:21-24	OBJ		
74:1-2 74:5-6	Spec; 402; 403; V				
74:8-9	Spec; 402; 403; V				
74:10-14	Spec; 402; 403; V				
74:15-19	Spec; 402; 403; V				
74:20-22	Spec; 402; 403; V				
75:6-9	402; 403; 611(c)				
75:10-14	402; 403				
75:15-18	402; 403				
75:19-21	402; 403				
75:22-23	402; 403				
75:24-76:1	402; 403; 611(c)				

Alan Gold March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
76:2-10	402; 403; 611(c)				
76:11-13	402; 403; 611(c)				
77:20-24 78:1 78:4-5	402; 403; Spec; V				
78:7-10	402; 403; Spec; V				
78:11-12	402; 403; Spec; V				
78:13-14	402; 403; Spec; V				
78:15-18	402; 403; Spec; V				
78:19-21	402; 403; V; 611(c)				
78:22-25	402; 403; V; 611(c)				
79:1-3	402; 403; V; 611(c); Spec				
79:4-5	402; 403; V; 611(c); Spec				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
6:15-21					
7:4-9:15	402; 403; F				
11:18-13:8	402; 403; C; V; 611; 602; F				
15:3-6	402; 403; F				

Craig Hawker December 20, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
15:10-16:11	402; 403; F				
16:16-17:18	402; 403; Spec; F				
17:19-18:23	402; 403; 701; F				
18:24-21:10	402; 403; F				
21:11-22:9	402; 403; F				
23:24-24:3	402; 403; F				
24:7-25:17	402; 403; C; F				
26:1-13	402; 403; F				
28:2-5	NT				
28:11-29:5	402; 403; F; 701				
29:8-13	402; 403; F; 701				
29:23-25	402;403				
30:6-31:13	611; V; 701				
31:18-22	611; V; 701				
31:24-33:19	611; V; 602; 701;				
34:3-6	V; 602				
34:10-12	V; 602; 402; 403				
34:22-35:22	403; Hyp				
35:25-37:11	403; AF; V				
37:22-39:12	V; Spec				
39:16-40:12	V; Hyp; 403				
40:18-41:8	V; Hyp; 403				
41:10-42:14	V; Hyp; 403; Spec				
43:13-44:6	H				
44:13-45:3	H; V; 611				
45:23-47:1	F; 402				
47:7-49:10	V; 402				
49:14-51:3	V; 402				
51:9-17	V; Spec; 611				
51:19-21	V; Spec; 611				

Craig Hawker December 20, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
51:24-55:18	V; Spec; 602; 611				
56:25-57:6	402				
57:10-58:7	402; V; 602; Beyond scope				
63:12-65:4	V; F; 611				
65:10-66:23	V; F; 611; Spec				
67:7-11	V; 611; Spec				
67:17-21					
67:14-25	V; 602				
68:14-25	V; 602; Spec; AF				
69:21-71:4	402				
71:11-74:4	402; 611; V; F; Spec; 602				
74:11-15					
80:9-22					

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
8:12-13					
13:4-6					
13:7-10					
13:11-16					
13:17-20					
13:21-22					
13:23-14:1					
18:16-18					
18:21-23					
18:24-19:5					

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
19:6-12					
19:13-16					
27:2-6					
27:7-10					
27:11-12					
27:16					
27:18-21					
29:12-16					
29:17-23					
29:24-30:2					
30:3-9					
30:10-21					
30:22-31:4					
31:23-32:1					
32:10					
32:18-24					
32:25-33:2					
33:3-4					
33:5-8		33:9-34:20	IMP; REL		
34:23-35:1					
35:2-4					
35:5-8					
35:9-15					
35:16-18					
35:20-36:5					
36:6-16					
36:17-19					
36:20-22					
36:23-24					
36:25-37:11					
37:12-15					
37:16-24					
37:25-38:9					
38:10-22					
38:23-39:3					
39:4-6					
39:7-8					

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
39:9-15 39:17-40:4					
40:6-10 40:13-23					
40:25-41:9					
41:10-14					
41:15-42:4					
42:5-10					
42:11-25					
43:1-11					
43:12-23					
43:24-44:4					
44:5-6					
44:7-8					
44:9-10 44:13-21					
44:23-25					
45:1-5					
45:6-8					
45:9-11		45:12-46:25	IMP		
47:1-14		47:15-48:21			
48:25 49:3-6					
49:8-11 49:14-17	H				
49:18-19					
49:20-21					
49:22-25	H, 402, 403				
50:1-8					
50:9-11					
50:12-14					
50:15-17					
50:18-20					
50:21-51:1					
51:2-5					
51:6-11	H, 402, 403				
51:12-20					

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
51:21-23	H, 402, 403				
51:24-52:5	H, 402, 403				
52:6-13	H, 402, 403				
52:14-15	H, 402, 403				
52:17-25					
53:2-4	H, L, 402, 403				
53:5-7	H, 402, 403				
53:9					
53:11-16					
53:17-18					
53:19-22					
53:23-54:2	H, 402, 403				
54:3-6					
54:7-13					
54:14-21					
54:22-55:4					
55:5-10					
55:11-24					
55:25-56:3					
56:4-5					
56:8					
56:10-13	H, 402, 403				
56:14-22	H, 402, 403				
56:23-25	H, 402, 403				
57:1-3	H, N, 402, 403				
57:4-6					
57:7-10					
57:11-19					
57:21-25					
58:2-3					
58:4-14	H, 402, 403				
58:15-19	L, M, 402, 403				
58:22-59:7					
59:9-18	Spec, M, 402, 403				
59:19-23	H, 402, 403				
59:24-60:4	H, 402, 403				

<p style="text-align: center;">Evanice Holz December 21, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
60:5-18	H, 402, 403				
60:19-22	H, Spec, M, L, 402, 403				
60:23-24					
60:25-61:4	H, 402, 403				
61:5-6	H, 402, 403				
61:7-10	H, 402, 403				
61:11-13	H, 402, 403				
61:14-21	H, 402, 403				
61:22-62:1	H, 402, 403				
62:2-11	H, 402, 403				
62:12-14 62:17-22	H, 402, 403				
62:24-63:7	H, 402, 403				
63:8-11	H, 402, 403				
63:12-15 63:18-64:3	H, 402, 403				
64:4-9	H, 402, 403				
64:10-13	H, 402, 403				
64:14-22	H, 402, 403				
64:23-25 65:2-4 65:6 65:9-12	H, 402, 403				
65:14-17	H, 402, 403				
65:18-22	H, 402, 403				
65:23-66:3	H, 402, 403				
66:4-9	H, 402, 403				
66:10-11	H, 402, 403				
66:12-16 67:15-17	H, 402, 403				
67:19-20	H, 402, 403				
67:1-68:3	NT, 402, 403				
68:25-69:4	H, Spec, F, 402, 403				
69:5-16	H, Spec, F, 402,				

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	403				
69:17-70:2	H, 402, 403				
70:3-9	H, Spec, 402, 403				
70:10-15	H, Spec, 402, 403				
70:16-23	H, Spec, 402, 403				
70:24-25	H, Spec, 402, 403				
71:1-5	H, Spec, 402, 403				
71:6-10	H, Spec, 402, 403				
71:11-14	402, 403				
71:15-18	402, 403				
71:19-22	402, 403				
71:23-72:2	H, F, 402, 403				
72:3-5	402, 403				
72:6-8	Spec, F, 402, 403				
72:9-10 72:15	402, 403	72:19-73:11	INC; IMP	72:16	
73:13-24	H, 402, 403				
73:25-74:1 74:3-5	H, Spec, F, 402, 403				
76:4-11	402, 403				
76:12-13 76:16-22	402, 403				
76:24-77:4	H, 402, 403				
77:5-7	H, 402, 403				
77:8-9 77:12-13	Spec, F, M, 402, 403				
77:15-16 77:19-20	H, AF, L, 402, 403	77:22-78:3			
78:11-14 78:16-18	H, 402, 403				

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
78:20-79:2	H, 402, 403				
79:3-6	402, 403	79:7-11; 80:17- 81:4; 81:25- 82:6	IMP; OBJ		
82:18-24	H, 402, 403				
82:25-83:2	H, 402, 403				
83:3-7	H, 402, 403				
83:8-10	H, 402, 403				
83:11-16	H, 402, 403				
83:17-20	H, 402, 403				
83:21-24	H, 402, 403				
83:25-84:4	H, 402, 403				
84:5-7	Spec, H, 402, 403				
84:8-9	402, 403				
84:10-13	H, 402, 403				
84:14-16	H, L, Spec, 402, 403				
84:17-19	H, L, 402, 403				
84:20-23	402, 403				
84:24-85:2	H, 402, 403				
85:3-15	H, L, M, 402, 403				
85:16-19	H, L, M, 402, 403				
85:20-22	H, 402, 403				
85:23-86:1	402, 403				
86:2-9	402, 403	86:10-88:16	IMP; OBJ		
89:4-6	H, 402, 403				
89:7-10 89:13-17	H, 402, 403				
89:18-21	H, 402, 403				
89:2-90:2	H, 402, 403				
90:3-8					
90:24-91:2					
91:3-9					
93:21-24					

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
94:1-2					
94:4-6					
94:8					
94:10-22	L, M, 402, 403				
94:23-25	L, M, 402, 403				
95:3-6					
95:8-12	L, Spec, F, 402,				
95:15	403				
95:17-19	H, 402, 403				
95:20-23	H, 402, 403				
95:24-96:1	H, 402, 403				
96:2-5	Spec, F, 402,				
96:8-12	403				
96:14-16	402, 403				
96:18-22					
96:24-97:2	402, 403				
97:3-9	402, 403				
97:10-13	L, M, 402, 403				
97:15					
97:17-21	Arg, L, M,				
97:23-98:5	Spec, 402, 403				
98:7-9	L, M, 402, 403				
98:10-14	L, M, 402, 403	98:15-99:3; 99:5-21	IMP; OBJ		
99:22-100:2	Spec, AF, 402, 403				
100:3-6	Arg, L, F, 402, 403				
100:7-9	Spec, L, F, 402, 403				
100:10-12	L, 402, 403				
100:13-15	Spec, F, 402,				
100:18-21	403				
100:22-24	H, 402, 403				
101:6-8					
101:9-11	H, 402, 403				
102:11-13	H, 402, 403				

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
102:14-17 102:20	H, 402, 403				
102:22-25 104:24-105:3					
105:4-12					
105:13-20					
105:21-25					
106:1-3 106:6 106:9-11	Spec, F, 402				
106:13-14					
106:15-19	H, 402				
106:20-23 107:1	H, 402				
107:3-6 107:9-11	H, 402				
107:13-16	H, 402				
107:17-22	H, 402				
107:23-108:2	L, Arg, 402				
108:3-7	H, 402				
108:8-15	H, 402				
108:16-18	H, 402				
108:19-24 109:1-3	H, 402				
109:5-13	H, 402				
109:14-21	H, 402				
109:22-110:3	H, 402				
110:4-7 110:11-14	H, 402				
110:16-17	H, 402				
110:19-22 110:25-111:1	H, 402				
111:3-4	H, 402	111:7-8			
116:3-13					
116:14-16 116:18-22					

Evanice Holz December 21, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
116:24-117:1					
117:2-3 117:7-8 117:11-12		117:5			
117:14-16 117:18-25	Arg, 402				
118:2-4					
118:5-8					
118:9-10 118:12-14					
118:16-19 118:21-119:5					
119:7-11					
119:12-15		120:18-121:8	IMP; OBJ		
121:9-13 121:16-19					
121:20-23					
121:24-122:1					
122:2-11					
122:12-16					
122:17-20	H, 402				
122:2-123:3	H, 402				
123:4-5					
123:6-9					
123:10-12					
123:13-15	H, 402				
123:16-18					
123:19-124:2					
124:3-8					
124:9-16	H, 402	126:15-127:2	IMP; OBJ		
124:18-19					
127:4-5 127:7					
127:9-12					
127:13-15					
127:16-18					
127:19-21					

<p style="text-align: center;">Evanice Holz December 21, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
127:22-128:5					
128:6-21					
128:22-129:3					
129:4-20					
129:21-130:4 130:7-14	H, 402, 403				
130:15 130:18-19	H, 402, 403				
130:21-25	H, 402, 403				
131:1-4	H, 402, 403				
131:5-7 131:9	H, 402, 403				
131:11-12					
131:13-15 131:17-19	Spec, F, 402, 403				
131:21-23	Spec, F, 402, 403				
131:24-132:7 132:9	H, 402, 403				
132:11-16 132:18-20	402, 403				
132:22-133:2	402, 403				
133:3-6	402, 403				
133:7-9	402, 403				
133:10-17	402, 403				
133:18-22	402, 403				
133:23-25	402, 403				
134:1-10	402, 403				
134:11-14	H, 402, 403				
134:15-17	402, 403				
134:18-22	Spec, F, 402, 403				
134:23-135:3	H, 402, 403				
135:4-6	402, 403				
135:7-14	402, 403				
135:15-17	H, Spec, F, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
135:18-20 135:23	L, M, F, 402, 403				
135:25-136:6	H, 402, 403				
136:7-10	H, 402, 403				
136:11-14	402, 403				
136:15-18 136:20-22	H, 402, 403				
136:24-137:1	402, 403				
139:23-25					
140:1-6	H, 402, 403				
140:7-13	402, 403				
140:14-21	402, 403				
140:22-25 141:3	Hyp, Spec, F, 402, 403				
141:5-6 141:8-17	402, 403				
141:19-142:1					
142:2-3 142:6-8					
142:10-12 142:15-18					
142:19-21					
142:22-23					
142:24-143:2					
143:3-8					
143:9-11	H, 402, 403				
143:12-14					
143:15-18	H, 402, 403				
143:19-23					
143:24-144:11					
144:12-21					
144:22-25					
145:1-5					
145:6-12	H, 402, 403				
145:13-19	H, 402, 403				
145:20-146:5	Spec, F, 402, 403	146:6-25	IMP; OBJ		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
147:2-4 147:6-8		151:14-21	IMP; OBJ		
151:22-24 152:2-4					
152:5-6					
152:7-10					
152:11-15					
152:16-17					
152:18-19					
152:20-153:6					
153:7-9					
153:10-16					
153:17-154:2					
154:3-6					
154:7-9					
154:10-12					
154:13-17					
154:19-20					
154:22-155:1					
155:2-4					
155:5-7 155:9					
155:11-16 155:19					
155:21-23					
155:24-156:2					
156:3-5 156:7-8					
156:10-13					
156:14-17					
156:18-20					
156:21-22					
156:23-25					
157:1-3					
157:4-7					
157:8-14					
157:15-25					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
158:1-4					
158:5-6 158:9					
158:11-12 158:15					
158:17-20					
158:21-23 159:1-6					
159:8-17					
159:18-22					
159:23-160:1					
160:2-3					
160:4-5					
160:6-7					
160:8-11					
160:12-13					
160:14-15					
160:16-17					
160:18-22					
160:23-161:2					
161:3-4					
161:5-6					
161:7-10					
161:11-19					
161:20-22					
161:23-25					
162:1-6					
162:7-8 162:11-13					
162:15-17					
162:18-163:3					
163:4-6 163:9-164:11	Arg, Spec, F, 402, 403				
164:13-165:6	H, 402, 403				
165:7-14					
165:15-19					
166:7-11	402, 403	166:13-14			

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
166:16-167:3					
167:4-12		167:13-168:3			
169:4-8	402, 403				
169:9-16	402, 403				
169:17-25	402, 403	170:1-6	IMP		
176:5-8					
176:11-13					
176:14-16					
176:17-18					
176:19-21					
176:22-177:2					
178:8-19	H, 402, 403				
178:21-23					
178:25-179:1					
179:2-8					
179:17-22					
183:18-20	H, 402, 403				
183:21-184:2	H, 402, 403				
184:3-6	H, 402, 403				
189:15-17	H, 402, 403				
189:20-22					
189:23-25	H, 402, 403				
190:1-3	H, 402, 403				
190:4-7	H, 402, 403				
190:8-12	H, 402, 403				
190:13-15	H, 402, 403				
190:16-21	H, 402, 403				
190:22-191:1	H, 402, 403	191:10-192:21	OBJ; IMP		
193:6-11		193:19-196:7	IMP		
193:12-13					
193:14-16					
193:17-18					
197:21-24					
198:2-4					
198:5-6		198:7-17	IMP; OBJ		
198:19-23					
198:24-199:1					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
199:3-7					
199:9-12					
199:13-20					
199:21-25					
200:1-4					
200:7					
200:9-10 200:13					
200:15-18		200:19-22	OBJ		
200:24-201:3					
201:4-8					
201:9-11					
201:12-13					
201:14-16					
201:17-19					
201:20-23					
201:24-25 202:3					
202:5-7					
202:8-12					
202:13-14					
202:15-18					
202:19-20 202:22-23					
202:25-203:7 203:9					
203:11-13 203:16-19					
203:20-22					
203:23-25					
204:1-3					
204:4-11					
204:12-14					
204:15-18					
204:19-21					
204:22-24					
204:25-205:6					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
205:9-10					
205:12-14					
205:15-18					
205:19-22					
205:23-25					
206:2					
206:4-5					
206:6					
206:8-9					
206:12-20					
206:21-22					
206:23-25					
207:1-4					
207:5-7					
207:8-10					
209:16-20					
209:23-210:2					
210:3-5					
210:6-16					
210:17-19					
210:21					
210:23-24					
210:25-211:2					
211:4-5					
211:7-12					
211:14-17					
211:19-24					
211:25-212:2					
212:3-7					
212:8-10					
212:11-22					
212:24-25					
213:2-4					
213:6					
213:8-10	F, 402, 403, 701				
213:12					
214:8-9					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
214:10-15					
214:16-19					
214:20-215:6					
215:7-11					
215:12-17					
215:18-25					
216:1-14					
216:15-17					
216:20					
216:22-217:4					
217:5-6					
217:7-10					
217:11-14					
217:15-18					
217:19					
217:21-22					
217:24-218:1					
218:2-3					
218:4-6					
218:7-10					
218:15-18					
218:19					
219:1					
219:4-7					
219:9-16					
219:17-18					
219:21-22					
220:22-25					
221:1-2					
221:3-22					
221:23-222:5					
222:6-8					
222:9-11					
222:13-15					
222:17-21					
222:22-23					
223:1					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
223:3-8 223:11-12					
223:14-15 223:17-23					
223:25-224:5 224:7					
224:9-12 224:14-15					
224:17-23					
224:24-225:1					
225:2-10 225:12-13					
225:15-19 225:22-226:14					
226:16-20 226:22-23					
226:25-227:2					
227:3-7					
227:8-11					
227:12-14 227:16-23					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
9:12-13					
9:14-17					
9:18-19					
10:11-13					
10:14-16					
10:17-19					
16:15-18					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
16:19-20					
16:21-22					
17:6-10					
17:12-14					
17:15-17					
17:18-20					
17:21-18:1					
18:2-5					
18:6-7					
18:8-9					
18:10	H, 402				
18:12-13					
18:15	H, 402				
18:17					
18:19-21	402, 403	18:22-20:5	OBJ		
20:6-10					
20:11-13					
20:14-16					
20:17-19					
20:20-21	H, 402, 403				
20:24-25					
21:2-6	N, F, 402, 403				
21:7-9					
21:10-12					
21:14					
21:16					
21:18-19					
21:21-23					
21:24-25					
22:1-2					
24:4-8					
24:9-10					
24:12					
24:14-15					
24:17-18					
24:20-23					
25:10-12					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
25:13-16	Arg, V, H, 402, 403				
25:17 25:22	Arg, V, H, 402, 403				
26:4-6 26:10-13	F, 701, V, 402				
26:14-20					
26:21-23					
26:24-27:3	H				
27:4-6					
27:7-8 27:10					
27:12-15					
27:16-18					
27:19-21					
27:22-24 28:1	402, 403				
28:3-5					
28:6-7					
28:8-12					
28:13-15	F, 402, 403				
30:17-21		30:1-15	OBJ		
30:22-31:1					
31:2-4					
31:5-7					
31:8-11		31:12-25	OBJ		
32:2-5	H				
32:6-8					
32:9-12					
32:13-16	H				
32:17-19					
32:20-23					
32:24-33:2	H				
33:3-5					
33:6-9					
33:10-12	H, 402, 403				
33:13-15	H, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
33:16-19	H, 402, 403				
33:20-22	H, 402, 403				
33:23-25	H, 402, 403				
34:1-2	H, 402, 403				
34:3-6	H, 402, 403				
34:7-9					
34:10-11					
34:13-14					
34:16-19	V, 402, 403				
34:20-23	V, 402, 403				
35:1-4	V, 402, 403				
35:5-7	V, 402, 403				
35:9-12					
36:1-3		30:1-15	OBJ, IMP		
36:20-21	V, 402, 403				
36:24-25					
37:2-9	V, 402, 403				
37:10-11	V, Spec, 402,				
37:13-15	403				
37:17-18	V, 402, 403	37:24-38:9			
37:20-22					
38:10-14	H				
38:15-21	H				
38:22-39:1	H				
39:2-4	Spec, H				
39:5-7	H				
39:13-16					
39:17-22					
39:23-40:3					
40:4-5					
40:6-9	H				
42:9-11					
42:12-14					
42:15-19					
43:12-14					
43:15-19					
43:20-22					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
43:23-44:3					
44:4-6					
44:7-9					
44:10-12					
45:15-17 45:20-24					
46 :2-8		46:9-13			
46:14-16	H				
46:17-19					
46:20-22					
46:23-24					
46:25-47:5	H				
47:6-8					
47:9-11					
47:12-14					
47:15-17 47:23					
47:25-48:2	H				
48:3-5					
48:6-9 48:14-15					
48:17-22	402				
48:23-25	402				
49:1-5	F, Spec, 402				
49:6-8					
49:9-12					
49:13-15 49:18					
49:20-25	L, M, 402				
50:1-4					
50:5-11	402	50:12-16			
50:17-22	402	50:23-51:5			
53:23-54:1	H, Spec, F				
54:2-3 54:5-6					
54:8-11	Spec, F, 402				
54:12-17	H				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
54:18-21					
54:22-25	H	55:1-7			
55:8-10	H, 402				
55:11-12	H, 402				
55:13-14 55:17	H, 402, 403, 701				
55:19-22					
55:23-56:3					
56:7-11					
56:12-15					
56:16-21					
56:22-23 57:1					
57:3-4 57:7		57:9-58:9	OBJ, IMP	58:10-12	
58:25-59:2	H, 402, 403				
59:3-5	402, 403				
59:6-10	402, 403	59:11-18		59:19-23	
60:7-10					
60:11-15					
60:16-17					
60:18-21					
60:22-25					
61:1-5					
61:12-15	H, 402, 403				
61:16-17	H, 402, 403				
61:18-20	H, 402, 403				
61:21-23	H, 402, 403				
61:24-25 62:2-3	H, 402, 403				
62:5-7					
62:8-11	H				
62:12-13					
62:14-21	H				
62:22-23	H				
62:24-25	H				
63:1-2	H				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
63:3-6	H				
63:7-10	H				
63:11-13	H				
63:14-16	H				
63:17-19	H				
63:20-24	H				
63:25-64:2	H				
64:3-5	H				
64:6-9	H				
64:10-15	H				
64:16-18	H	64:19-20			
64:21-23	H				
64:24-65:2	H				
65:3-7	H, F				
65:8-10		65:11-16			
65:17-21					
65:22-23					
65:24-66:1					
66:2-3					
66:4-5					
66:6-8					
66:25-67:3					
67:4-6					
67:7-9					
67:22-24					
67:25-68:2					
68:3-5					
68:6-9					
68:10-16					
68:17-19					
68:20-24					
68:25-69:3					
71:6-11					
71:20-24	F, 402, 403				
72:1-3	F, 402, 403				
73:21-23					
73:24-74:1					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
74:2-4					
74:5-8		74:9-25			
75:1-4					
75:5-8					
75:16-18					
75:19-22					
75:23-25					
76:1-3					
76:4-6					
76:7-9					
76:10-12					
76:13-16	H				
76:17-20	H				
76:21-23	H				
76:24-77:1					
77:2-4					
77:5-7					
77:8-12	H				
77:13-14	H				
77:15-18					
77:19-21	H				
77:22-24					
77:25-78:2					
78:3-6	H				
78:7-9	H				
78:10-15					
78:16-18					
78:19-21					
78:22-24					
78:25-79:3					
79:4-6					
79:7-12					
79:13-14	V, H, 402, 403				
79:16					
79:18-22	V, H, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
7:11-12					
7:13-14					
7:15-18					
7:19-20					
8:13-15					
8:16-18					
8:19-21					
8:22-24					
8:25-9:1					
9:2-3					
9:4-7					
9:8-10					
9:11-12					
9:13-14					
9:15-16					
9:21-22					
9:23-24					
11:23-12:4 12:10-12	403				
12:18-21	403				
13:3-6	403				
13:13-16	403				
13:22-25	403				
14:6-8	403				
14:12-16					
17:22-25					
18:1-4					
19:20-23	611; 402; 403				
19:24-20:2	402; 403	20:7-10			
20:3-6	611	20:7-10			
21:7-12					
21:13-18					
21:19-24					
21:25-22:4					
22:5-8					
22:9-14					
24:7-9					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
24:10-12					
24:13-17					
24:18-20	M; F				
24:21-23	M; F; Spec				
24:24-25:1	M; F; Spec				
25:2-9	M; F; Spec; 611				
25:10-12	M; F; Spec; 611				
27:2-7	V				
27:8-10	V				
27:11-13	V				
27:14-16	V				
29:12-15	611				
29:16-17					
29:18-20					
29:21-30:1	611; M; F; 402; 403				
30:2-3	611; F; 402; 403				
30:4-6	402; 403; F				
30:7-11	Spec; 402; 403; F				
30:12-16	Spec; 402; 403; F				
32:13-16	402; 403				
32:17-24	402; 403				
32:25-33:3	402; 403				
33:4-6	402; 403				
33:7-9	402; 403				
40:4-6	611				
40:7-9					
40:10-12	M; F; Spec; 611; 403				
40:13-15	M; F; Spec; 611; 403				
40:16-18	F; Spec;				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	611;403				
41:1-3	F; Spec; 611; 403				
41:4-9	F; Spec; 403				
41:10-13	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
41:14-16	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
41:17-20	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
41:21-22	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
42:5-8	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
42:9-13	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
42:14-16	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
42:17-19	F; Spec; 611; 403	103:10-16; 103:19-22	IMP, LDG		
42:20-23	F; Spec; 611; 403; 701	103:10-16; 103:19-22	IMP, LDG		
42:24-43:1	F; Spec; 611; 403; 701	103:10-16; 103:19-22	IMP, LDG		
43:13-16	F; Spec; 611; 403	43:19-21		43:22-25	
44:1-4	F; Spec; 611; 403; I	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
44:5-12	F; Spec; 611; 403; I	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
44:13-15	F; Spec; 611; 403;	103:25-2; 104:4;	IMP, AMB, LDG		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
	I	104:6-7; 104:9; 104:11-13; 104:15-16			
44:16-18	F; Spec; 611; 403; I	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
44:19-20	F; Spec; 611; 403	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
44:21-24	F; Spec; 611; 403	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
44:25-45:3	F; Spec; 611; 403; I	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
45:4-8	F; Spec; 611; 403; I; AF	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
45:9-12	F; Spec; 611; 403; I; AF	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		
45:13-17	F; Spec; 611; 403; I; AF	103:25-2; 104:4; 104:6-7; 104:9; 104:11-13; 104:15-16	IMP, AMB, LDG		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
52:16-20 52:21-22	403				
52:23-25	F; Spec; 611; 403				
53:1-3	F; Spec; 611; 403				
53:4-6	F; Spec; 611; 403				
54:5-8	F; Spec; 611; 403				
54:9-13	F; Spec; 403				
55:8-12	F; Spec; 611; 403				
59:18-20					
59:21-22	F; Spec; 611; 403				
59:23-60:2	F; Spec; 611; 403				
61:3-8	F; Spec; 611; 403				
61:9-13	F; Spec; 403				
61:14-16	F; Spec; 403				
61:17-21	Spec; 611; 403				
61:22-25					
62:1-4	Spec; 611; 403				
62:5-9	Spec; 611; 403				
62:10-15	F; Spec; 611; 403; I				
62:16-17	F; Spec; 611; 403; I				
62:18-21	Spec; 611; 403				
62:22-25	Spec; 611; 403; 702				
63:1-4	Spec; 611; 403; 702				
63:5-9	Spec; 611; 403;				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	702				
63:10-12	Spec; 611; 403; 702				
63:20-21 63:25-64:3	Spec; 611; 403; 702				
64:4-8	Spec; 611; 403; 702				
64:9-12	Spec; 611; 403; 702				
66:4-7	402; 403; Spec				
66:8-10	402; 403; Spec				
69:2-4	403				
69:5-8	403				
69:9-10					
69:11-13					
69:14-16	611; 403; H; AF				
69:17-22	611; 403; H; AF				
69:23-70:2	611; Spec; H; 403; AF				
70:3-7	611; Spec; H; 403; AF				
70:8-12	611; Spec; H; 403; AF				
70:16-18					
70:19-21					
71:4-7	H; 611; Spec; 403; AF				
71:8-10	H; 611; Spec; 403; AF				
71:11-13	H; Spec; 403; AF				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
75:1-3					
75:4-5	403				
75:9-10	403				
75:13-14	403				
75:17-19	403				
75:23-76:1	403				
76:2-6	403; Spec; AF; H; 402;				
76:7-9	611; H				
76:10-12					
76:13-15					
76:16-20					
77:1-3					
77:4-9	Spec; AF; 403				
77:10-12	Spec; AF; 403				
77:13-14	Spec; AF; 403				
77:15-18	Spec; AF; 403				
77:19-23	Spec; AF; 403				
77:24-78:2	611; AF; 403; F				
78:3-5	611; AF; 403; F				
78:6-10	611; AF; 403; F				
78:11-15	403; F				
78:16-20	AF; 403; F; 701				
78:21-25	AF; 403; F; 701				
79:1-4	AF; 403; F				
79:5-8					
79:9-10					
79:11-13					
79:14-17	611; AF				
79:23-80:3	403				
80:4-6					
82:16-22	H; 403				
83:15-17					
83:18-20	403				
83:21-25					
84:1-3					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
84:4-7	Spec				
84:8-12					
84:13-17	Spec; 403				
84:18-24	Spec; 403				
84:25-85:3	Spec; 403				
85:4-7	Spec; 403; 611				
85:8-10	Spec; 403				
85:11-16	Spec; 403				
85:17-23	Spec; 403; 701				
85:24-86:2	Spec; 403; 701				
86:3-5	Spec; 403; 701				
86:6-9	Spec; 403; 701				
86:10-14	Spec; 403; 701				
86:15-17	Spec; 403; 701				
86:18-19	Spec; 403; 701				
86:20-22	Spec; 403; 701				
87:3-6	H; 403; Spec				
88:1-4	H				
88:5-8					
88:24-25 89:3-7	403				
89:8-11	403; 701; H; Spec; V				
89:12-16	403; 701; H; Spec; V				
89:17-19	403; 701; H; Spec; V				
89:20 89:25	403; 701; H; Spec; V				
90:2-3	403; 701; H; Spec; V				
90:23-91:1					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
91:2-3					
91:4-6					
91:12-15	403; 701; H; Spec	111:19-24; 112:2- 4; 112:7-8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
91:16-20	403; 701; H; Spec	111:19-24; 112:2-4; 112:7- 8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
91:21-24 92:4-7	403; 701; Spec	111:19-24; 112:2- 4; 112:7-8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
92:8:12	403; 701; Spec	111:19-24; 112:2-4; 112:7- 8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
92:18-21 92:23-25	403; 701; Spec	111:19-24; 112:2- 4; 112:7-8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
97:4-8					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
116:18-20					
116:21-22					
116:23-25	403				
117:1-4					
117:5-8					
117:12-16	Spec, M, 611				
117:17-20	Spec, 611				
117:21-118:4	M; Spec; 403; 611				
118:5-7 118:9-13	611; M; 403				
118:15-19	F; M; 611; 403				
118:20-23					
118:24-25 119:2-5	611; M; 403				
119:7-14	611; M; 403				
119:15-21 119:23-24	611; M; 403	103:10-16; 103:19-22	IMP, LDG		
120:1-4	611; M; 403	103:10-16; 103:19-22	IMP, LDG		
120:8-10 120:12-13	611; M; 403	103:10-16; 103:19-22	IMP, LDG		
120:15-16	611; M; 403	103:10-16; 103:19-22	IMP, LDG		
121:5-8	611; M; 403				
121:9-16	611; M; 403				
121:17-23	611; M; 403				
121:24-122:4	611; M; 403				
122:5-7	403				
122:8-11	611; M; 403; 701				
122:12-18	611; M; 403; 701				
122:19-22	611; M; 403; 701				
122:23-123:2	611; M; 403; 701				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
123:3-7	611; M; 403; 701				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
133:8-9					
133:10-11					
133:12-15					
133:16-20					
133:21-23					
133:24-134:2					
134:22-135:5	403				
135:6-7	403				
135:8-10	403				
135:24-136:1	403				
136:2-4	403				
136:5-9	403				
136:10-13	403				
136:14-17	403; 701				
138:13-15	403; 701; 611; V				
138:16 138:18	403; 701; 611; V				
138:20-22	403; 701; 611; V				
138:23-139:1	403; 611; V				
139:2-4 139:6	403; 611; V				
139:8-11	403; 701; 611	111:19-24; 112:2-4; 112:7-	IMP, AMB	110:10-19, 110:22-111:3,	

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
		8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14		111:6, 111:8-13, 111:16	
139:12-15	403; 701; 611	111:19-24; 112:2-4; 112:7- 8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
139:16-19 139:21-22	403; 701; 611	111:19-24; 112:2-4; 112:7- 8; 113:24-25; 114:3; 114:5-6; 114:8; 114:10-14	IMP, AMB	110:10-19, 110:22-111:3, 111:6, 111:8-13, 111:16	
141:23-25 142:2	403; 701; M; 611				
143:10-13	403; 701; 611				
143:14-18	403; 701; 611				
143:19-21	403; 701; 611				
143:22-25 144:2	403; 701; 611				
144:4-12	403; 611; M				
144:13-14	403; 611; M				
144:15-18	403; 611; M				
144:19-22	403; 611; M				
144:23-145:7	403; 611				
145:8-11	403				
145:12-14	403				
145:15-18	403				
145:19-25	403				
148:19-21	403; V				
148:22-24	403; V				
148:25-149:2	403; V				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
149:3-8	403; V				
154:12-17	403; V; 402				
154:18-21	403; V; 402				
154:22-24	403; V; 402				
155:1-3	403; V; 402				
155:5-6	403; V; 402				
155:7-9	403; V; 402				
155:12-14					
156:20-22					
156:23-25					
157:1					
157:3-6					
157:11-13	403; 701; 611				
157:14-16	403; 701; 611				
157:17-18	403; 701; 611				
157:20					
157:22-24	403; 701; 611				
157:25-158:2					
158:3-7	403; 701; 611				
158:8-9	403; 701; 611				
158:10-13	403; 701; 611				
158:14-17	403; 701; 611				
158:25-159:3	403; 701; 611				
159:4-5	403; 701; 611				
159:8-10					
159:11-13	403; 701; 611				
159:14-16	403; 701; 611				
159:17-19	403; 701; 611				
159:20-21	403; 701; 611				
159:22-23	403; 701; 611				
159:25					
160:2-5	403; 701; 611				
160:6-7	403; 701; 611				
160:9					
163:3-5	403; 701; 611				
163:8					
163:10-11	403; 701; 611				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
163:15-16	Spec				
163:18-21	403; 701; 611				
163:22-24	403; 701; 611				
163:25-164:2	403; 611				
164:3-5	403; 611				
164:6-8	403; 611				
164:9-11	403; 611				
164:12-14	403; 611				
165:7-9					
165:10-12	V				
166:2-3					
166:6					
166:8-10					
166:25-167:3					
167:7-11	S				
167:12-17	S				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
8:20-23					
11:5-15					
11:23-24					
11:25-12:2					
13:9-12					
13:13-14					
13:15-18					
13:19-21					
15:2-11					
15:12-14					
15:15-20					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
15:21-22		15:23-16:4	IMP; OBJ		
16:6-7					
16:10-15					
16:18-21					
16:22-17:1					
17:2-4					
17:6-11					
17:13-14					
17:16					
17:18-19		18:5-14	IMP		
17:21-18:3					
19:11-13	V, 402				
19:14-16	H, V, 402				
19:17-18	H, V, 402				
19:19-21	F, V, 402				
19:22-24	F, V, 402				
20:2-3					
20:5-6	F, V, 402	20:12-23:14	IMP		
20:8-10					
23:16-19					
23:20-23					
23:24-24:1					
24:2-4					
24:5-9	V, Spec, F, 402				
24:10-12					
24:13-14					
24:15-18					
24:19-24					
24:25-25:4					
25:5-7					
26:16-17					
26:20-24					
27:1-7					
27:8-13					
27:14-16					
27:17-19					
27:20-22					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
27:23-28:3					
28:4-6					
28:7-8					
28:9-11					
28:12-14					
28:15-16					
28:17-19					
28:20-22					
28:23-24					
28:25-29:5					
29:6-12					
29:13-15					
29:16-17					
29:18-21					
29:22-24					
29:25-30:7					
30:8-10					
30:11-31:2					
31:3-17					
31:18-21					
31:22-32:9					
32:10-12					
32:13-15					
32:16-18					
32:19-21					
32:22-33:6					
33:7-9					
33:10-15					
33:18-20					
33:22-34:5					
34:6-10					
34:11-16					
34:17-19					
34:20-21					
34:22-24					
34:25-35:2					
35:4-6					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
35:8-13					
35:14-24					
35:25-36:2 36:4-5					
36:7-12					
36:13-15 36:18-19		36:25-37:17	OBJ; REL		
37:18-21					
37:22-38:1	V, F, 402				
38:2-4 38:6-15	V, F, 701, 402, 403				
38:17-19 38:21-23	Spec, V, F, 402, 403				
38:25-39:3 39:5-10	Hyp, V, 402, 403				
39:12-16	Hyp, V, 402, 403				
39:17-40:8	Hyp, V, 402, 403				
40:9-12 40:14-20	Hyp, V, 402, 403				
40:22-41:7	Arg, V, L, 402, 403				
41:8 41:10-13	Arg, V, AF, L, M, 402, 403				
41:15-42:1	Arg, V, AF, L, M, 402, 403				
42:2-12	Arg, V, AF, L, M, 402, 403				
42:13-43:2	Arg, V, AF, L, M, 402, 403				
43:15-19					
43:20-25					
44:1-7					
44:8-11					
44:12-15					
44:16-22					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
44:23-25					
45:1-4					
45:5-9					
45:10-20					
45:21-23					
45:24-46:10					
46:11-14					
46:15-19					
46:20-47:1					
47:2-9					
47:10-13					
47:16-21					
47:22-48:2					
48:3-4					
48:5-9					
48:10-14					
48:15-19					
48:20-21					
48:22-23					
48:24-49:1					
49:2-11					
49:12-15					
49:16-50:3					
50:4-12					
50:13-15					
50:16-23					
50:24-51:1					
51:2-12					
51:13-17					
51:18-52:9					
52:10-16					
52:17-22		52:24-53:17; 54:5-23	IMP		
55:13-19					
55:20-25					
56:1-9					
56:10-25					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
57:1-8	V, 402, 403				
57:9-16	V, 402, 403				
57:17-20					
57:21-24	H, 402, 403				
57:25-58:3	H, 402, 403				
58:4-6					
58:7-10					
58:11-12					
58:13-14					
58:15-17					
58:18-19					
58:20-23 58:25	H, 402, 403				
59:2-7					
59:8-11					
59:14-19					
59:21-25		60:1-3	IMP; FND		
60:15-20	402				
60:21-24	402				
60:25-61:5	402				
61:6-8	402	61:9-62:5	OBJ		
65:5-11 65:14-17	F, V, 402, 403				
65:19-22 65:25-66:1	F, V, 402, 403				
66:3-16	F, V, 402, 403				
66:17-67:5					
67:6-15	F, V, L, M, 402, 403				
67:16-68:5	V, 402, 403	100:10-102:1	IMP; FDN; AMB		
68:6-14	Hyp, V, 402, 403	100:10-102:1	IMP; FDN; AMB		
68:15-69:2	Hyp, V, 402, 403	100:10-102:1	IMP; FDN; AMB		
69:3-9	H, V, 402, 403	100:10-102:1	IMP; FDN; AMB		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
69:10-15	Hyp, V, 402, 403	100:10-102:1	IMP; FDN; AMB		
69:16-19	Hyp, V, 402, 403	100:10-102:1	IMP; FDN; AMB		
74:21-75:3 75:6-7	H, 402				
75:9-11					
79:3-7	H, V, 402, 403				
79:8-10					
79:11-15	H, V, 402, 403	79:16-4	IMP; NR; AMB		
80:5-11	H, V, 402, 403				
80:12-14	H, V, 402, 403				
80:15-25	V, Arg, M, 402, 403				
81:1-3 81:5	V, Arg, M, 402, 403	81:7-13	IMP		
82:8-10 82:12-13	V, 402, 403				
82:15-17 82:20-21	L, V, 402, 403				
82:23-24 83:1-5	F, L, V, 402, 403				
83:7-17	Hyp, F, Spec, V, 402, 403				
83:18-23	Hyp, F, Spec, V, 402, 403				
84:1-6	Hyp, F, Spec, V, 402, 403				
84:8-10 84:12	Hyp, F, Spec, V, 402, 403				
84:14-17 84:20-23	Hyp, F, Spec, V, 402, 403				
89:4-8	V, 402, 403				
89:11-15					
89:22-23					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
89:25-90:2 90:4	V, 402, 403				
90:6-22	V, 402, 403				
90:23-24 91:1-2	V, 402, 403				
91:4-7	H, V, 402, 403				
91:8-10	H, V, 402, 403				
91:11-14	H, V, 402, 403				
91:15-18	H, L, V, 402, 403				
91:19-24					
91:25-92:1					
92:2-5					
92:6-8					
92:9-10					
92:11-13					
92:14 92:17-18	Hyp, 701, V, 402, 403				
92:20-21	Hyp, 701, V, 402, 403				
92:22-23	Hyp, 701, V, 402, 403				
92:24-93:2	Hyp, 701, V, 402, 403				
93:3-5					
93:6-16	H, 402, 403				
93:17-20	H, 402, 403				
93:21-23 94:1-3	Arg, H, V, L, 402, 403				
94:5-7 94:9-14	H, V, L, 402, 403				
94:16-21	V, 402, 403				
94:22-95:3 95:5-6	Hyp, V, 402, 403				
95:8-9	V, 402, 403				
95:10-11 95:13-18	V, 402, 403, 701				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
95:20-96:1					
96:2-10					
96:11-13					
96:14-16					
99:3-8 99:10-12	Hyp, V, 402, 403				
99:14-16 99:18-20					
99:22-25	H, 402, 403	100:10-102:1	IMP; FDN; AMB		

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:6-9					
8:22-24	402, 403				
8:25-9:1	402, 403				
9:2-4	402, 403				
9:5-6	402, 403				
9:7-9	402, 403				
9:10-11	402, 403				
9:12-15	402, 403				
9:16-17	402, 403				
9:18-22	NT, 402, 403				
9:24-10:1	402, 403				
10:2-3	402, 403				
10:4-5	402, 403				
10:6-9	402, 403				
10:10-11	402, 403				
10:12-14	402, 403				
10:15-16	Spec, F, 402,				

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	403				
13:3-6	402, 403				
13:7-10	402, 403				
13:11-13	402, 403				
13:14-17	402, 403				
13:18-20	402, 403				
15:13-15 15:19					
15:21-24 16:6-8					
16:9-12					
16:13-15					
16:16-19					
16:20-21					
16:22-24					
16:25-17:2					
17:3-5					
17:6-7					
17:8-9					
17:10-12					
17:13-15					
17:16-18					
17:19-21					
17:22-24					
17:25-18:1					
18:2-4					
18:5-7					
18:8-11					
18:12-15					
18:16-17					
18:18-20					
18:21-23					
18:24-19:1					
19:2-4	Arg, 402, 403				
19:5 19:9-11	402, 403				
19:12-13					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
19:14-15					
19:16-17					
19:18-19					
19:20-22					
19:23-25					
20:1-2					
20:3-5					
20:6-7					
20:8-9					
20:10-11					
20:12-13					
20:14-15					
20:16-17					
20:18-19					
20:20-21					
20:22-24					
20:25-21:2					
21:3-6					
21:7-10					
21:11-13					
21:14-15					
21:16-17					
21:18-19					
21:20-22					
21:23-25					
22:1-2					
22:3-5					
22:6-8		22:9-17	IMP		
32:8-14					
37:16-22 38:3					
38:4-5 38:8					
38:10-12					
38:13-15					
38:16-18					
38:19-21					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
38:22-23					
39:2-4					
39:5-7					
39:8-14					
40:2-4					
40:5-6					
40:7-8					
40:9-10					
40:11-15					
40:16-18					
40:19-22					
40:23-24					
40:25-41:3					
41:4-6					
41:7-9					
41:10-12					
41:13-15					
41:16-18					
41:19-22					
41:23-42:1					
42:2-4					
42:5-6					
42:10					
42:12-13					
42:19-21					
43:1					
43:2-4					
43:5-7					
43:8-9					
43:10-12					
43:13-14					
43:15-19					
43:20-22					
43:23-24					
43:25-44:2					
44:3-5					
44:6-10					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
44:11-15					
46:6-10					
46:11-13					
46:14-17					
46:18-19					
46:20-22					
46:23-25					
47:1-2					
47:3-5					
47:6-9					
47:10-12					
47:13-14					
47:15-17					
47:18-21					
47:22-23					
47:24-25					
48:1-4					
48:5-6					
48:7-10					
48:11-12					
48:13-15					
48:16-18					
48:19-21					
48:22-24					
48:25-49:2					
49:3-5					
49:6-8					
49:9-10					
49:11-13					
49:14-16					
49:17-20					
49:21-22					
50:2					
50:4-6					
50:7-9					
50:10-11					
50:12-18					

<p style="text-align: center;">Vicki Laris February 28, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
50:19-21					
50:22-24					
50:25-51:3					
51:4-6					
51:7-8					
51:9-11					
51:12-13					
51:14-16					
51:17-19					
51:20-22	H, 402, 403				
51:23-25	Hyp, Spec, F, 402, 403				
52:4-6	H, 402, 403				
52:7-10					
52:11-14					
52:15-17					
52:18-19					
52:20-22					
52:23-53:3					
53:4-5					
53:6-7					
53:8-9					
53:10-11					
53:12-13					
53:14-17					
53:18-20					
53:21-23					
53:24-54:2					
54:3-5					
54:6-9					
54:10-11					
54:12-13					
54:14-18					
54:19-22					
54:23-55:1					
55:2-4					
55:5-8					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
55:9-10					
55:11-13					
55:14-16					
55:17-19					
55:20-23					
55:24-56:2					
56:3-4					
56:5-9					
56:10-11					
56:15-16					
56:17-18					
56:21					
56:23-25					
57:1-2					
57:8-9					
57:10-12					
57:13-17					
57:18-19					
57:20-22					
57:23-25					
58:1-2					
58:8-9					
58:10-12					
58:13-17					
58:18-21					
58:22-23					
59:3					
59:5-8					
59:9-10					
59:11-16	H, 402, 403				
59:17-18	Spec, 402, 403				
59:22-23					
59:24-25	402, 403				
60:4					
60:6-13	H, 402, 403				
60:14-16					
60:17-19					

<p style="text-align: center;">Vicki Laris February 28, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
60:20-22					
61:4-5					
61:6-15	H, 402, 403				
61:16-18					
61:19					
61:23-25					
62:1-7	H, 402, 403				
62:8-12					
62:13-15					
62:16-18					
62:19-20					
62:21-22					
62:23-24					
62:25-63:1					
63:2-7	H, 402, 403				
63:8-11	H, 402, 403				
63:12					
63:17					
63:19-24	H, 402, 403				
64:3-4					
64:6-8					
64:9-13	H, 402, 403				
64:17					
64:19-24	H, 402, 403				
64:25-65:6	H, 402, 403				
65:7-9					
65:10-11					
65:17-18					
65:19-22					
65:23-25	H, 402, 403				
66:1-3	402, 403				
66:4-6	402, 403				
66:7-12	H, 402, 403				
66:13-19	H, 402, 403				
66:20-22	402, 403				
66:23-67:1	AF, 402, 403				
67:2-3					

<p style="text-align: center;">Vicki Laris February 28, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
67:9-11					
67:12-16	H, 402, 403				
67:17-19	402, 403				
67:20-22	402, 403				
67:23-68:4	H, 402, 403				
68:5					
68:11-12					
68:13-15					
68:16-22	H, 402, 403				
69:2					
69:4-9	H, 402, 403				
69:10-16	H, 402, 403				
69:17-19	402, 403				
69:20-25	H, 402, 403				
70:4					
70:6-8	402, 403				
70:9-12					
70:13-14					
70:20-21					
70:22-25					
71:1-5					
71:6-10					
71:11-12					
71:13-19					
71:20-22					
71:23-25					
72:1-5					
72:6-8					
72:9-10					
72:16-17					
72:18-20					
72:21-22					
72:23-73:1					
73:2-4					
73:5-7					
73:8-11					
73:12-13					

<p style="text-align: center;">Vicki Laris February 28, 2019</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
73:14-16					
74:2-6					
74:7-9					
74:10-12					
74:13-15					
74:16					
74:20-22					
74:23-25					
75:1-3					
75:4-7					
75:8-10					
75:11-12					
75:13-16					
75:17-19					
75:20-22					
75:25					
76:1-3					
82:17-24					
82:25-83:2					
83:3-4					
83:8-9					
83:10-14					
83:15-18					
83:19-21					
83:22-84:1					
84:2-4					
84:5-7					
84:8-9					
84:10-11					
84:17-18					
84:19-20					
84:21-22					
84:23-24					
84:25-85:2					
85:3-4					
85:5-6					
85:7-9					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
85:10-21					
85:22-86:3					
86:4-5					
86:6-9					
86:10-13					
86:14-17					
86:18-22					
86:23-87:1					
87:2-4					
87:5-6					
87:9-10					
87:11-14					
87:18					
87:20-22					
87:23-25					
88:1-2					
88:3-5					
88:6-7					
88:8-11					
88:12-16					
88:17-20					
88:21-25					
89:25-90:4					
90:5-7					
90:8-10					
90:11-12					
90:13-15					
90:19-21					
90:22-23					
90:24-25					
91:1-3					
91:4-6					
91:7-8					
91:9-10					
91:11					
91:15					
91:17-19					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
91:20-21					
91:22-23					
91:24-25					
92:1-3					
92:4-5					
92:6-7					
92:8-11					
92:12-15					
92:16-17					
92:18-19					
92:20-23					
92:24-93:2					
93:3-4					
93:5-6					
93:7-10					
93:21-23					
93:24-94:1					
94:2-4					
94:5-7					
94:8-10					
94:11-13					
94:14-16					
94:17-19					
94:20-22					
94:23-95:1					
95:2-4					
96:18-19					
96:20-22					
97:2-4					
97:9					
97:11-13					
97:14-16					
97:17-19					
97:23					
97:24-98:2		98:3-21	OBJ, LDG, HRS		
99:20-21					
100:1					

Vicki Laris February 28, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
100:2-4					
100:7-9 100:14					
100:19-21					
100:22-24					
100:25-101:1					

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:19-20					
6:21-24					
6:25-7:1					
13:4-5 13:9-10	402, 403				
13:12-14	H, 402, 403				
13:15-18	H, 402, 403				
13:19-21	H, 402, 403				
13:22-23	H, 402, 403				
13:14-25	H, 402, 403				
14:1-3	H, 402, 403				
14:15-18					
14:19-20					
14:21-22	Spec, 402, 403				
14:23-15:1	H, 402, 403				
15:2-5	H, 402, 403				
15:6-8	H, 402, 403	15:11-16			
15:9-10					
15:20-22					
15:23-25					
16:1-4	Spec, F, 402,				

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	403, 701				
47:18-22					
47:23-48:1		48:2-8; 57:14-58:9	IMP		
60:11-14					
60:15-16					
60:17-18					
60:19-21					
60:22-23					
60:24-61:1					
61:2-3					
61:4-5	H, 402, 403				
61:6-7	H, 402, 403				
61:8-9	H, 402, 403	61:10-15			
62:7-8					
62:9-11					
62:12-13					
62:14-17					
62:25-63:2					
63:3-8					
63:9-11		63:12-64:1	OBJ		
64:2-4					
64:5-6					
64:7-9					
64:10-11					
64:12-15					
64:16-17					
65:15-17		65:18-66:12			
67:24-68:3		68:4-18			
68:19-21					
68:22-24					
68:25-69:4					
69:5-8					
69:9-11					
69:12-18					
69:19-20					
69:21-25					

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
71:3-8					
71:9-13		72:8-75:4	HRS	71:17-20	H, 402, 403
75:5-7					
75:8-9					
75:13-16					
75:17-19					
75:20-23		75:24-76:12			
76:13-16					
76:17-20					
76:21-22					
76:23-24					
77:17-20					
77:21-22		77:23-78:9			
78:10-12					
78:13-14					
78:15-16					
78:17-18					
78:19-22		78:23-80:23			
81:2-5					
81:6-8					
81:9-12					
81:13-14					
81:15-17					
81:18-20					
81:21-23					
82:1-7					
85:25-86:5					
86:6-8		86:9-11			
87:5-6		86:19-87:4			
87:7-10					
87:11-16		87:17-24			
89:21-24					
90:4-7	402, 403				
90:8-10	402, 403				
90:11-13	402, 403				
90:14-15	402, 403				
90:16-18					

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
97:3-9	H, 402, 403				
97:10-14					
97:15-16					
97:17-19		98:17-99:8		99:9-100:7	
100:8-13		99:9-100:7			
100:14-19					
100:20-22					
100:23-24					
104:6-13					
104:14-15 104:20-105:2	H, 402, 403				
105:3-10	H, 402, 403				
105:14-17	H, 402, 403				
105:18-20	H, 402, 403				
105:21-24	Spec, F, 402, 403				
105:25-106:3	H, 402, 403				
106:4-6 106:9-10	L, 402, 403				
106:12-16					
106:17-21					
106:22-107:1					
107:2-3		107:4-6			
107:7-10					
107:11-12					
107:13-15					
107:16-23					
109:14-20					
109:21-22					
109:23-24					
109:25-110:5					
110:6-17					
110:18-20		113:19-114:4	IMP, HRS		
114:5-9					
114:10-11					
114:12-18					
114:19-23					

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
114:24-115:1					
115:2-6					
115:7-11					
115:12-14					
115:15-17					
115:18-19					
115:20-21					
115:22-24					
115:25-116:3					
116:4-6					
116:7-9					
116:10-13					
116:14-18					
116:19-21					
119:1-7					
119:12-14					
119:15-19					
128:21-25					
129:1-3					
129:4-5					
129:6-9					
129:10-14					
129:15-17					
129:18-20					
131:14-17					
131:18-19					
131:20-21					
131:22-24					
133:6-9					
133:10-11					
133:12-13					
133:14-16					
133:17-18					
133:19-21					
133:22-25					
134:7-9					
134:10-12					

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
135:7-11					
135:12-13					
135:14-15					
135:16-17					
135:18-24					
135:25-136:2					
136:6-12					
136:13-17					
138:24-139:3					
139:12-15		139:16-21			
140:5-7					
140:8-9					
140:10-11					
140:12-13					
140:14-16					
140:17-18					
140:19-24		140:25-141:2			
141:3-8					
141:9-12					
141:13-14					
141:15-17		141:18-22			
141:23-24 142:1-2		142:4-8; 142:9- 143:5			
143:9-11					
143:12-15					
144:3-8	H, 402, 403				
144:9-10	H, 402, 403				
144:11-12	H, 402, 403				
144:13-16	H, 402, 403				
144:17-19	H, 402, 403				
144:20-21					
145:20-23					
145:24-146:1					
146:2-6					
146:7-9					
146:10-13					
146:14-17		146:18-19			

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
149:21-24	Spec, F, L, 402, 403				
151:4-8					
152:3-7					
152:8-12					
155:5-8					
155:9-10					
155:11-12					
155:20-24					
155:25-156:1					
156:2-6	402, 403				
156:7-9	Spec, F, L, 402, 403				
156:10-16					
156:17-20	Spec, F, 402, 403				
158:6-12	Spec, F, 402, 403, 701				
158:13-15	Spec, F, 402, 403, 701				
158:18-20	Spec, F, 402, 403, 701				
158:21-159:1 159:3-6	Spec, F, 402, 403, 701				
159:8-15 159:18-20	Spec, F, 402, 403, 701	160:4-23		159:25-160:3	Spec, Hyp, 402, 403
160:24-161:4		160:4-23	IMP, FND, SPC		
161:5-10					
161:11-13		161:14-162:19	FND, SPC, REL		
163:12-14					
164:3-7					
164:8-10					
164:11-13					
164:14-17					
165:2-4	402, 403	164:18:21			
165:5-6	402, 403				
165:7-9	402, 403				

Sara Lim March 21, 2017					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
165:10-11					
165:12-14	402, 403				
165:15-16	402, 403				
165:17-18	402, 403				
169:20-170:1					
170:2-5					
170:6-10					
170:11-14		170:15-21		170:22-25; 171:2	Hyp, F, 402, 403
171:11-14					
171:15-16					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:9-10					
6:9-10					
6:11-14					
6:15-16					
6:17-7:10					
27:4-6					
27:7-10					
27:11-12					
27:13-15					
27:16-18					
27:19-23					
27:24-25					
28:1-2					
28:18-20					
28:21-22					
28:23-24					
29:16-19					

<p style="text-align: center;">Lisa Lorden June 12, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
29:20-24					
30:18-22					
31:2-5					
31:6-7					
31:8-10					
31:11-12					
31:13-14					
31:15-16					
31:17-22					
34:13-16	402				
34:17-19	402				
34:20-22	402				
34:23-25	402				
35:1-3					
35:4-7	402				
35:23-25	402				
36:1-2	402				
36:3-4	402	36:7-8			
38:16-18					
38:19-20					
38:21-23	402				
51:23-52:1					
52:2-3					
52:4-5					
52:6-9					
52:10-12					
52:13-15					
52:16-18					
52:19-20					
52:21-23					
55:16-18					
58:6-9					
60:7-11					
60:12-13					
60:14-15					
60:16-19					
60:20-21					

<p style="text-align: center;">Lisa Lorden June 12, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
60:22-24					
60:25-61:1					
61:2-4					
61:5-6					
61:7-8					
61:9-11					
61:12-13					
61:14-15					
61:18-20					
61:21-24					
61:25-62:1					
62:8-10					
62:11-15					
62:16-18					
62:19-21					
63:4-9					
63:10-14					
63:15-17					
64:12-14					
64:15-18					
64:19-20					
65:12-15					
69:14-18					
69:22					
69:24-70:1					
70:3-5					
70:6-7					
70:8-9					
70:10-12					
70:13-15					
70:16-18					
70:19-20					
71:1-3					
71:7					
71:9-11					
71:12-13					
73:2-4		71:14-73:1			

<p style="text-align: center;">Lisa Lorden June 12, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
73:5-7					
74:24-75:3					
75:6					
75:8-10					
75:11-13					
75:14-20					
75:21-25					
82:11					
82:16-22					
82:23-83:1					
83:2-3					
83:6-7					
83:8-9					
83:10					
83:13-15					
83:16-19					
83:20-22					
83:24					
84:2-8					
84:9-10					
84:11-13					
84:14-16					
84:17-19					
85:6-8					
85:9-11					
85:12-13					
85:14-15					
85:16-19					
86:19-21					
86:24					
87:8-10					
87:11-13					
87:15-16					
87:18-23					
87:24-88:2					
88:25-89:4					
89:5-8					

<p style="text-align: center;">Lisa Lorden June 12, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
89:9-11					
89:12-19					
89:20-21					
89:22-24					
89:25-90:5					
90:6-8					
90:9-11					
90:12-15					
90:16					
90:19-21					
90:22-24					
91:2-3					
91:5-8					
91:11-13					
91:14-17					
91:18-19					
91:20-22					
91:23-24					
91:25-92:1					
92:12-18					
92:24-93:4					
93:7					
93:9-12					
93:13-15					
93:16-18		93:19-94:1			
94:2-5					
94:7					
94:9-11					
94:12-19	402, 403				
94:20-22	402, 403				
94:23-25	402, 403				
95:15-19	402, 403				
97:8-9	402, 403				
97:10-11	402, 403				
97:16-20					
97:23-24					
98:2					

<p style="text-align: center;">Lisa Lorden June 12, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
98:5					
98:7-8					
98:23-99:7					
102:23-103:2					
106:23-107:1					
107:2-4 107:8-11	H, F, 402, 403				
107:25-108:6	H, F, 402, 403				
108:7-14 108:17-18	H, F, 402, 403				
108:20-24	H, F, 402, 403				
109:8-12	H, F, 402, 403				
109:13-19 109:22	H, F, 402, 403				
109:24-110:4 110:7-8	H, F, 402, 403				
110:10-13					
110:14-17 110:22	H, Spec, F, 402, 403				
110:24-25 111:2	Arg, 402, 403				
111:4-5	Arg, 402, 403				
111:6-8	Arg, L, 402, 403				
111:9-10 111:13					
111:15-16 111:18					
111:20-22 111:24-25	H, 402, 403				
136:13-20					
136:21-25					
137:1-4					
137:5-7					
137:8-9					
137:23-138:1					
138:2-4					

<p style="text-align: center;">Lisa Lorden June 12, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
138:5-7					
138:8-9					
138:10-20					
138:21-23					
138:24-139:2					
139:3-5					
139:6-7					
139:8-9					
147:3-6	H, 402, 403				
147:7-9	H, 402, 403				
147:16-18	H, Spec, F, 402, 403				
147:19-21	402, 403				
148:4-6	Hyp, 402, 403				
152:15-20					
168:18-23	402, 403				
168:24-169:2	402, 403				
169:3-5	402, 403				
169:6-8	402, 403				
169:9-10	402, 403				
169:11-13	402, 403				
169:14-15	402, 403				
175:21-23		174:15-175:7	IMP, SPC, FND, AMB		
176:8-12		174:15-175:7	IMP, SPC, FND, AMB		
176:13-14		174:15-175:7	IMP, SPC, FND, AMB		
176:15-17		174:15-175:7	IMP, SPC, FND, AMB		
176:18-20		174:15-175:7	IMP, SPC, FND, AMB		
176:21-23		174:15-175:7	IMP, SPC, FND, AMB		

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
7:7-9					
7:10-11					
12:18-24					
12:25-13:2					
13:3-5					
13:24-25					
14:1-3					
14:4-5					
14:6-8					
14:9-10					
14:11-14					
14:15-19					
14:20-21					
14:22-25					
15:1-5					
19:21-20:4					
20:5-8					
20:9-13					
20:14-16					
20:17-19					
20:20-22					
20:23-24					
20:25-21:2					
21:3-6					
21:10-16					
21:17-21					
21:22-22:3		22:4-16			
22:17-21					
24:6-9					
24:13-16					
24:17-21					
24:22-25:1					
25:2-5					
25:8-9					
29:21-24					
29:25-30:2					
30:3-5					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
31:12-15					
31:16-17					
31:18-21					
31:22-32:1					
32:2-3					
32:4-8					
32:9-12	402, 403				
32:13-14 32:18-19	L, 402, 403				
32:20-21	L, 402, 403				
32:22-24	402, 403				
32:25-33:5	402, 403				
33:6-8 33:10-13	402, 403				
33:15-18 33:20-21	402, 403				
33:23-25 34:2	402, 403				
34:3-8	402, 403				
34:11-12 34:14-16	402, 403	34:18-25	OBJ; IMP		
37:21-23	402, 403				
38:4-6	402, 403				
38:9-11	402, 403				
38:12-14 38:16	402, 403	38:18-39:4	OBJ		
39:6-7	402, 403				
39:8-9 39:12-14	402, 403				
39:15-16 39:18-19	402, 403				
39:21-24	402, 403				
39:25-40:5	402, 403				
40:6-9 40:11	402, 403				
40:13-14	H, 402, 403				
40:15-21	H, 402, 403	40:22-41:20	OBJ; IMP		

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
44:7-12					
44:13-45:3					
45:4-15		45:16-47:14	IMP; OBJ; CM		
47:16-19		45:16-47:14	IMP; OBJ; CM		
47:20-23					
47:24-48:3					
48:4-16					
48:17-22 48:24-49:6	Arg, M, L, 402, 403	53:5-54:3	CM; OBJ; IMP		
49:8-12 49:14-18	Arg, L, 402, 403	53:5-54:3	CM; OBJ; IMP		
49:20-50:2 50:4-6	Arg, L, 402, 403	53:5-54:3	CM; OBJ; IMP		
50:8-9 50:11	402, 403	53:5-54:3	CM; OBJ; IMP		
60:14-18	H, 402, 403				
60:19-23		60:24-61:2	IMP		
61:12-15 61:17-18					
61:20-24					
61:25-62:2		62:3-14	OBJ; IMP		
62:22-63:2	H, 402, 403				
63:3-7	H, 402, 403				
63:8-12	H, 402, 403				
63:13-16	H, 402, 403				
63:17-19	H, 402, 403				
71:17-22	H, 402, 403				
71:23-72:4					
72:5-7					
72:8-9 72:11-12					
72:14-19	402, 403				
72:20-23 72:25	402, 403				
73:2-3	402, 403				
73:4-7 73:21-25	402, 403	73:8-15	NR		

<p align="center">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
74:2-5 74:8	402, 403	76:25-77:4; 77:6-21	INC; NR; OBJ; IMP	76:19-21	L, Arg, 402, 403
77:23-78:4 78:7-9	402, 403	76:25-77:4; 77:6-21; 78:11-20	INC; NR; OBJ; IMP	76:19-21	L, Arg, 402, 403
78:22-24 79:1-2	402, 403				
79:4-6 79:8	402, 403				
79:10-11	402, 403				
79:12-13	402, 403				
79:14-19	402, 403				
79:20-23 79:25	402, 403				
80:2-5 80:8-12	402, 403				
80:14-15 80:18	402, 403				
80:20-23 80:25	402, 403				
81:6-8 81:11	402, 403				
81:13-17	402, 403				
81:18-22 81:25-82:1	402, 403				
82:3-4 82:6	402, 403				
82:8-9	402, 403				
82:12-13					
82:16-17					
82:19-83:1 83:4	402, 403				
83:6-12 83:15-18	402, 403	83:20-84:7	OBJ; IMP		
84:9-13	Arg, L, M, 402,	84:20-85:3	OBJ; NR; IMP; CM		
84:16-18	403				
85:5-9	402, 403	85:19-86:23	OBJ; FND; 403		

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
85:11-17		86:24-87:13	CM; OBJ; IMP		
87:16-23 88:4-11	402, 403				
88:12 88:14	402, 403				
88:16-21	402, 403	88:22-89:5	IMP; REL; OBJ		
89:7 89:9					
89:11-13					
89:14-18					
89:19-20 89:22	402, 403				
89:24-90:1	402, 403				
90:2-4	402, 403				
90:5 90:9-10 90:13-16	402, 403				
90:18-19	402, 403				
90:20-21	402, 403				
90:22-25					
91:1-5	402, 403				
92:8-10	402, 403				
92:18-20					
92:23-25 93:2	402, 403				
93:4-5	402, 403				
93:6-8	402, 403				
93:9-10	402, 403				
93:11-13 93:16-17	402, 403				
93:18-19 93:21	M, L, 402, 403	93:23-94:7	OBJ; NR; IMP		
94:9-95:1	402, 403	93:23-94:7	OBJ; NR; IMP		
95:2-3 95:5	402, 403				
95:7-10	402, 403	95:11-96:2	OBJ; NR; IMP; CM		

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
96:11 96:14 96:16 96:18	402, 403	96:20-97:11	IMP; OBJ; NR; CM		
97:21-25					
98:1-4					
98:5-10					
100:18-21					
100:22-24					
100:25-101:3					
101:4-9					
101:10 101:12-14					
101:16-19 101:22-102:5					
102:7-9 102:11					
102:13-19 102:22-23					
103:1-8					
103:12-14 103:17					
103:19-21 103:23					
103:25-104:1					
104:2-5					
104:6-9					
104:10-12					
104:13-14					
104:15-17 104:20					
104:22-105:2					
105:5-8 105:10					
105:18-106:8	402, 403				
106:9-10	402, 403				
106:11-17	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
106:18-20	402, 403				
106:21-25	402, 403	107:1-4	IMP		
107:8-12	H, 402, 403				
107:13-15	H, 402, 403				
107:16-21	H, 402, 403				
107:22-24	H, 402, 403				
107:25-108:4	H, 402, 403				
108:5-6 108:8-9	H, 402, 403				
108:11-23	H, 402, 403				
109:1-2	H, 402, 403				
109:3-5	H, 402, 403				
109:7-13	H, 402, 403				
109:14-16					
109:17-19					
109:20-23	H, 402, 403				
109:24-25					
110:1 110:3-5	H, 402, 403				
110:7-9 110:11-14	Arg, H, 402, 403				
110:16-21 110:23-25	Arg, H, L, M, 402, 403				
111:2-6	402, 403				
111:7-13 111:15	402, 403				
111:17-21	402, 403				
111:22-112:1 112:3-4	402, 403				
112:6-7 112:11 112:13-14	402, 403				
112:16-18 112:21-23	402, 403				
112:25-113:3	402, 403				
113:4-8	402, 403				
113:9-11	Arg, M, 402,				

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
113:14-20	403				
113:22-114:3 114:5-7	Arg, 402, 403				
114:9-10 114:13	402, 403	114:19-115:4	OBJ; IMP		
116:20-23	402, 403				
116:24-117:2	402, 403				
117:3-8	402, 403				
117:9-10 117:13-14	402, 403				
117:16-19 117:21-23	402, 403				
117:25-118:4 118:6-7	402, 403				
118:9-11 118:13	402, 403				
118:15-19 118:21	402, 403				
119:13-18 119:24	402, 403				
120:1 120:4	402, 403				
120:6-8 120:10-11	402, 403				
120:13-14	402, 403				
120:15 120:19 120:22-23	402, 403				
120:25-121:1 121:3	402, 403				
121:5-10 121:13	402, 403				
121:15-16 121:18	402, 403				
121:20-21 121:24-25	402, 403				
122:2-3 122:6	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
122:8-10	402, 403				
122:11 122:13	402, 403				
122:15 122:17	402, 403				
122:19-21	402, 403				
122:22-23	402, 403				
122:24-123:1	402, 403				
123:2-3 123:5	402, 403				
123:7-9 123:11	402, 403				
123:13-15 123:17-18	402, 403				
123:20-21 123:24-25	Spec, 402, 403				
124:2-4	H, 402, 403				
124:5-7 124:9	402, 403				
124:11-14 124:16-18	H, L, 402, 403				
124:20-125:1 125:4	402, 403				
125:6-9 125:11-15	402, 403	125:17-23	OBJ		
126:9-12 126:14	402, 403				
127:7-10					
127:11-13 127:15-16					
127:18-19					
127:20-24					
127:25-128:2					
128:7 128:12-16					
128:17-21					
128:22-24					

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
129:3-5					
129:6-9					
129:10-12					
129:13-18					
130:17-20 130:22					
130:24-131:1 131:3					
135:6 135:11-17	H, 402, 403				
136:9-16 136:18	H, 402, 403				
136:20-21 136:24-25	H, 402, 403				
137:2-3 137:5-6	H, 402, 403				
137:8-11	H, 402, 403				
137:12-13	H, 402, 403				
137:14-20	H, 402, 403				
137:21-23	H, 402, 403				
137:24-138:3 138:5-6	H, 402, 403				
138:8-9	402, 403				
138:10-11	402, 403				
138:12-14 138:17-19	M, 402, 403				
138:21-24 139:1-2	H, 402, 403				
139:4-7	402, 403				
139:8-10 139:13-16	402, 403				
139:18-24	402, 403				
139:25-140:3	402, 403				
140:4-10	402, 403				
140:11-15	402, 403				
140:16-21	H, 402, 403				
140:22-25	H, 402, 403				

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
141:1-8					
141:9-12	402, 403				
141:13-15	402, 403				
141:16-19	402, 403				
141:21					
141:23-24	402, 403				
141:25-142:2	402, 403				
142:5-7					
142:9-12	402, 403				
142:13	Spec, 402, 403				
142:16-19					
142:21-143:3	M, 402, 403				
143:6-9					
143:11-19	L, 402, 403				
143:22					
143:24					
144:1-13	402, 403				
144:14-19	402, 403				
144:22-23					
145:4-13	M, 402, 403				
145:14-17	402, 403				
145:18-19	402, 403				
145:22					
145:24-146:1	402, 403				
146:2-5	402, 403				
146:6-10	402, 403				
146:12-20					
146:22-24	402, 403				
147:1-5					
147:7-10	402, 403				
147:17					
147:18-19	402, 403				
148:1-4	402, 403				
148:6-13					
148:15-16	402, 403				
148:17-24	402, 403				
149:5-10	H, 402, 403				

<p style="text-align: center;">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
149:11-12					
149:13-14					
149:15-17					
149:18-19					
149:20-23					
150:3-6					
150:8-10					
150:12-16					
150:17-18					
150:19-22					
150:23-24					
150:25-151:1					
151:2-5					
151:7-8					
151:10-13		151:18-156:19	OBJ; IMP		
151:15-16					
156:20		151:18-156:19	OBJ; IMP		
156:25-157:3					
158:15-17	F, 402, 403, 701	158:9-13	NR; OBJ; IMP		
158:19					
158:21-22	F, 402, 403, 701				
158:25-159:3					
159:5-12	F, 402, 403, 701	159:13-160:13	OBJ; NR; IMP		
160:15-17					
160:18-20					
160:21-22					
160:25-161:1					
161:3-6					
161:7-8					
161:9-10					
161:11-13					
161:16-17					
161:19-20					
161:21-23					
162:1-2					
162:15-20					

<p align="center">Jordan Alexander Mesry December 14, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
162:21-163:1					
163:2-4 163:6					
163:8-13	H, 402, 403				
163:19-21 163:23-24	H, 402, 403				
164:3-5					
164:6-17 164:19	H, 402, 403				
164:21-25 165:2-3	Spec, F, 402, 403, 701				
165:5-11	Spec, F, M, L, 402, 403, 701				
165:12-16 165:18-20	M, L, 402, 403				
165:22-25	402, 403				
166:1-2	H, 402, 403				
166:3-9	H, 402, 403				
166:10-11 166:13-14	F, 402, 403, 701				
166:16-17 166:19-21	F, Spec, 402, 403				
166:23-25 167:3-5	F, Spec, 402, 403				
167:7-8 167:10	F, Spec, 402, 403				
167:14-16 167:21-23	H, 402, 403				
168:3-6	H, 402, 403				
168:7-9	402, 403				
168:10-12 168:14-16	M, L, 402, 403				
168:18-20 168:22-169:2	Arg, M, L, 402, 403				
169:4-9	Arg, M, L, 402, 403				
170:10-13		170:14-21			

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
4:24-5:3					
6:21-25		5:22-6:5			
7:1-4		6:7-11			
7:5-11					
7:12-14					
7:15-18	402	6:13-19			
7:19-25					
8:6-8					
8:9-20					
8:21-23					
9:7-10					
9:11-15					
9:16-10:1					
10:2-8					
11:9-14	402, I, V				
11:15-18	402				
11:19-22	402, I, V				
12:12-14	402				
12:15-20	402				
13:4-8					
13:9-16	402, V				
13:17-23	402, I, V				
14:8-11	402, I, V, C				
14:14-18	402, I, V				
14:19-15:3	402, I, V				
15:4-6	402, I, V				
15:7-10	402, I, V				
15:11-12	402, I, V				
15:13-17	402, 403, I, V				
16:11-15	403, 403, I, V, M				
16:16-20	402, 403, I, V	17:14-18:23			
19:10-20:2	402				
20:3-7	402, 403, I, V				
20:8-13	402, I, V				
20:14-18	402, I, V				
20:19-22	402, 403, I, V				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
20:23-21:5	402, 403, I, V				
21:6-8	402				
21:9-12	402				
21:13-15	402				
21:16-19	402				
21:20-24	402				
21:25-22:4	402, I, V				
22:5-15	402				
22:16-18	402				
22:19-23:3	402, I, V				
23:4-5 23:10-11 23:13-17	402, I, V				
23:19-24:5	402				
26:24-27:9	402				
29:1-4	402				
29:5-12	402, 403, I, V				
29:21-30:6	402, 403, I, V				
31:18-22	402, 403, I, V				
31:23-32:1 32:7-8	402, 403, I, V				
32:9-33:1	402, 403, I, V				
34:5-15	402, 403, I, V				
34:16-24	402, 403, I, V				
34:25-35:2	402, 403, I, V				
35:3-4	402, 403, I, V				
35:5-7	402, 403, I, V				
42:5-9 42:13-16	402, I, V	42:2-3, 42:10-11			
42:17-22					
42:23-43:1					
43:2-5					
45:15-18	402, I, V				
45:19-22	402, Spec, I, V				
45:23-46:2	402, Spec, I, V				
46:3-5	402, I, V				
46:6-9	402, I, V				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
46:10-12	402, I, V				
46:13-15	402, I, V				
49:11-15	402, 403, I, V				
49:16-19 49:21-50:4	402, 403, I, V				
50:6-9	402, 403, I, V				
50:10-51:7	402, 403, I, V				
51:8-16	402, 403, I, V				
51:22-52:17	402, 403, I, V				
52:23-53:10	402, 403, I, V				
53:11-16	402, I, V				
53:17-19	402, I, V				
53:20-25	402, I, V				
54:1-3	402, I, V				
54:4-5	402, I, V				
54:6-8	402, I, V				
54:9-13	402, I, V				
54:14-17	402, I, V				
54:18-19 55:1-8	402, I, V				
55:10-20	402, I, V				
55:21-25	402, I, V				
56:1-9	402, I, V				
57:23-58:20	402, I, V				
70:17-20	402, 403, I, V				
70:21-71:1	402, 403, I, V				
71:2-5	402, 403, I, V				
71:11-14	402, 403, I, V				
71:15-18 71:20-23	402, 403, I, V, M				
71:25-72:4 72:7-10	402, 403, I, V				
72:12-16 72:19-73:2	402, 403, I, V	73:4-8			
73:4-8	402, 403, I, V				
73:9-10 73:18-74:8	402, 403, I, V				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
74:9-11	402, 403, I, V				
74:12-13 74:16-17 74:23-75:5	402, 403, I, V				
75:7-9 75:12-17	402, 403, I, V				
75:19-20 76:3-12	402, 403, I, V				
76:16-21 77:10-17					
77:18-21					
77:22-78:7					
78:8-11					
78:12-16					
78:17-19	402, F, I, V				
78:20-79:3	402, F, I, V				
79:4-8	402, F, I, V				
79:9-11	402, F, I, V				
79:12-13	402, F, I, V				
79:14-18 79:21-22 80:6-7 80:15-16	402, 403, F, I, V				
81:6-10 81:14	402, 403, F, I, V				
81:16	402, F, I, V				
81:21-82:4	402, 403, F, I, V				
83:6-11	402, 403, I, V				
83:12-14 83:17-18	402, 403, I, V				
83:20-84:2 84:5-8	402, 403, I, V, LC				
84:10-11	402, 403, I, V, LC				
86:9-11 86:15-19					

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
87:6-8 87:14-25	402, 403, I, V, M				
88:2-8	402, 403, Spec, I, V,				
88:9-23	402, 403, I, V				
88:24-89:10	402, 403, I, V				
89:11-17	402, 403, I, V, LC				
89:18-22					
89:23-25					
90:1-5 90:8-11	402, 403, I, V, LC				
90:13-14 90:17 90:20-22	402, 403, I, V, LC				
90:24-91:1 91:4-10 91:12-23	402, 403, I, V, LC				
91:25-92:1 92:3-8	402, 403, I, V, LC				
92:9-11	402, 403, I, V, LC				
92:12-19	402, 403, I, V, LC				
93:6-14	402, 403, I, V, LC				
93:15-17	402, 403, I, V, LC				
93:18 93:21-23	402, 403, I, V, LC				
93:25-94:2	402, 403, I, V, LC				
94:3-7	402, 403, I, V, LC				
94:8-12	402, 403, I, V, LC				
94:13-15	402, 403, I, V				
94:16-21	402, 403, I, V				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
94:22-95:1	402				
96:3-5 96:13-17	402, 403, I, V				
96:19-21	402, 403, I, V				
96:22-97:5	402, 403, I, V				
98:7-15	402, 403, I, V				
98:16-18	402, 403, I, V				
98:19-22	402, 403, I, V				
98:23-99:4	402, 403, I, V				
99:5-8	402, 403				
99:9-12 99:19-100:1	402, 403, I, V				
100:3-6	402, 403, I, V				
100:7-14	402, 403, I, V				
104:4-8 104:15-25	402, 403, I, V				
109:3-6	402, 403, I, V				
109:7-13	402, 403, I, V				
109:14-17	402, 403, I, V				
109:18-110:1	402, 403, I, V				
111:24-112:1	402, 403, I, V				
112:2-3	402, 403, I, V				
112:4-6	402, 403, I, V				
112:7-10	402, 403, I, V				
112:11-15	402, 403, I, V				
112:16-20	402, 403, I, V				
112:21-23 113:1-11	402, 403, I, V				
113:13-114:7	402, 403, I, V				
114:10-23	402, 403, I, V				
117:20-118:4	402, 403, I, V				
118:5-8	402, 403, I, V				
118:9-11	402, 403, I, V				
118:12-17	402, 403, I, V				
118:18-21	402, 403, I, V				
118:22-119:2	402, 403, I, V				
119:3-5	402, 403, Spec,				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
	I, V				
119:6-9	402, 403, I, V				
119:10-17	402, 403, Spec, I, V				
119:18-20	402, 403, I, V				
119:21-23	402, 403, I, V				
119:24-120:4 120:9-10	402, 403, I, V, LC				
120:11-121:6	402, 403, I, V, LC				
121:7-9 121:13-19	402, 403, I, V, LC				
121:21-122:3	402, 403, I, V				
122:4-6 122:9-13	402, 403, I, V, LC				
122:15-17 122:20-23	402, 403, I, V, LC				
122:25-123:4	402, 403, I, V, LC				
123:5-7 123:10-12	402, 403, I, V, LC				
123:22-24 124:2-4	402, 403, I, V, LC				
124:6-9	402, 403, I, V, LC				
124:10-13 124:17-23	402, 403, I, V				
124:24-25	402, 403, I, V				
125:1-3	402, 403, I, V				
125:4-6	402, 403, I, V				
125:7-14	402, 403, I, V				
125:15-16	402, 403, I, V				
125:17-19	402, 403, I, V				
126:1-11	402, 403, I, V				
126:12-13	402, 403, I, V				
126:14-19	402, 403, I, V				
127:3-7	402, 403, I, V,				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	LC				
127:8-12 127:16-128:18	402, 403, I, V, LC				
128:22-25 129:3-10					
129:11-14					
129:15-17					
129:18-23					
129:24-130:3					
130:4-6	402, I, V				
130:7 130:10-14 130:16-23	402, 403, I, V, LC				
130:25-131:5	402, 403, I, V				
131:6 131:9-12	402, 403, I, V, LC				
131:14-15 131:18-22	402, 403, I, V, LC				
131:24-25 132:3-10	402, 403, I, V, LC				
132:12-14					
132:15-18 132:22-133:5	402, 403, I, V, LC	132:19			
133:7-9 133:12-17	402, 403, I, V, 701, LC				
133:19-21	402, 403, I, V, 701				
133:22-134:9	402, 403, I, V, LC				
134:10-12 134:16-18	402, 403, I, V, 701				
134:20-23 135:2-3	402, 403, I, V, 701				
135:5-6 135:9-12	402, 403, I, V, 701				
135:14-16 135:19-21	402, 403, I, V, 701				
135:23-25	402, 403, I, V,				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
136:3-10	701				
136:12-13 136:16-18	402, 403, I, V, 701				
136:20-21 136:24-137:2	402, 403, I, V, 701				
137:4-6	402, 403, I, V, 701				
137:7-10	402, 403, I, V, 701				
137:11-13 137:16-23	402, 403, I, V, 701				
137:25-138:3	402, 403, I, V, 701				
138:8-9	402, 403, I, V, 701				
138:10 138:13-14	402, 403, I, V, 701				
138:15-16	402, 403, I, V, 701				
139:5-6	402, 403, Spec, I, V, 701				
139:7-8	402, 403, Spec, I,				
139:11-15	V, 701				
139:17-18	402, 403, I, V				
139:19-22	402, 403, I, V				
139:23-25	402, 403, Spec, I,				
140:3-7	V, 701				
140:9-10	402, 403, I, V				
140:11-13	402, 403, I, V				
140:14-16	402, 403, I, V				
140:17-18 140:21-23	402, 403, I, V, 701				
140:25-141:2	402, 403, I, V				
141:3-5	402, 403, Spec, I,				

Rivka Monheit December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
141:8-11	V, 701				
141:13-18	402, 403, Spec, I, V, 701				
141:19-142:1	402, 403, Spec, I, V, 701				
142:2-5	402, 403, Spec, I, V, 701				
142:15-17	402, 403, Spec, I,				
142:21-23	V, 701, Arg				
143:6-7					
143:8-9	402, 403, Spec, I,				
143:12-13	V, 701				
143:15-16	402, 403, Spec, I,				
143:19-24	V, 701				
144:1-2	402, 403, I, V				
144:3-6	402, 403, Spec, I,				
144:9-12	V, 701, Arg				
144:15-20					
144:22	402, 403, Spec, I,				
144:25-145:3	V, 701				
145:5-7	402, 403, Spec, I,				
145:10-14	V, 701				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
137:16-17					
137:21-138:10					
138:14-16	M				
138:19-22	M; S				
138:24-139:4					
139:5-6					
139:10-14	F; S; Spec				
139:21-140:1	F; Spec; S; 701				
140:4-6	F; Spec; S; 701				
140:9	F; Spec; S; 701				
141:19-20	Spec; S; 701; V				
141:22-142:6	Spec; S; 701; H				
142:9-14	Spec; S				
142:16-143:2	611; 602; Spec; S				
143:6-10	611; 602; Spec; S				
143:13-18	602; Spec; S				
143:21-145:3	602; Spec; S				
145:7-17	S; Spec				
145:20-146:3	S; Spec				
146:4-6	S; Spec; 701; M				
146:9-17	S; Spec; 701; M				
146:19-21	S				
146:23-25	S; V				
147:2-4	S; F; V				
147:7	S; F; V				
147:19-25	V				
148:3-6	S				
148:8-9	S				
148:13-15	S				
148:17-18	S				
148:23-149:6	S; 701				
149:9-13	S				
149:15-22					
150:20-22	S				
150:24-151:4					

Eric Pressly December 19, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
151:6-9	S				
151:11-13	S				
152:9-15	NT				
152:21-23	S				
152:25-153:4	S				
153:9-13	S				
153:15-16					
153:23-154:9	S				
154:14-17					
156:19-21	P				
157:2-5	P				
157:9					
159:17-18	I; V				
159:22-158:3	I; V				
163:17-22					
164:12-13	M				
164:15-18					
164:20-23	S				
164:25-165:4	S				
165:6					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:12-15		71:23-72:5	IMP, OBJ	72:7-10, 72:12-14, 72:16-21	H, 402, 403
6:16-17		78:12-78:23	IMP, OBJ, NR		
6:18-20		141:11-141:16	IMP, OBJ		
6:21-23					
6:24-7:1					
7:2-4					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
7:5-11					
7:12-13 7:15-16	V				
7:18-21					
7:22-23 8:1-2	V				
8:4-7	V				
8:10-13 8:16-18					
8:20-23 8:25-9:3	V, C				
12:18-20 12:22-13:1	V				
17:9-14	V				
17:15-19	V				
18:3-6 18:8-9	V				
18:11-14 18:16-19	V				
19:5-6 19:8-10	V				
19:12-16 19:18	V				
19:20-23 19:25-20:2	V				
20:4 20:6-7	V				
20:9-10	V				
20:11-15 20:19-21	V, AF				
20:23-21:5 21:7-8	V, AF				
21:10-13	I				
21:14-16 21:18-23	V, C				
38:18-21 38:23-24	V, M				
39:2-5	V, M				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
39:7-10					
41:11-14					
41:15-16					
41:17-19					
41:20-21					
41:22-42:6	V, H				
42:7-17					
43:4-6	V, H				
43:8-15					
43:17-25	V, C				
44:1-5					
44:6-8					
44:9-12					
44:13-18					
44:19	V, H				
44:21-25					
45:8-9	V				
45:11-12					
46:1-2	V				
46:4					
46:6-9					
46:10-13	V				
47:3-5	V, AF, H				
47:7-9					
48:20-49:5	N, V				
49:6-7	V				
49:9-13					
52:25-53:5					
53:6-7	V, C				
53:9-10					
53:12-14					
53:15-16	V				
53:17	V				
53:19-21					
53:23-25	V				
54:1-5	V				
54:25-55:4	V				

Joseph Santy May 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
55:5-11	V				
55:12-13	V				
55:14-15	V				
55:16-20					
55:21-24	V				
55:25-56:1 56:3-4	V, AF				
56:6-7					
56:8-12	V				
56:13-18 56:20-24	V, C				
57:2-8 57:10-14	V, C				
57:16-19 57:21-22	V, C, AF				
58:2-7 58:9-16	V, C, AF				
63:8-11	V, C, AF				
63:13					
63:15-17 63:20-23	V, AF				
63:24-64:2	V, I				
70:17-20 70:25					
71:2-4					
71:5-8					
71:9-16	H				
71:17 71:19-21	F, S				
72:22-73:1 73:3-4	V, C, AF				
73:6-7 73:9-13	V				
73:15-17 73:19-21	V, AF				
73:23-24					
73:25-74:1					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
74:2-4					
74:5-7					
74:8-10 74:12	V, AF				
74:14-15 74:17-18	V, AF				
74:20-21 74:23	V				
74:25-75:2 75:4	V, AF				
75:6-8 75:10	V				
75:12-16 75:18-20	V, AF				
75:22-76:1 76:3-4	V, AF				
76:6-8	V, C				
76:24-77:2 77:4	V, AF				
77:22-78:1	V, AF, C				
78:4-9	V, AF, C				
87:24-88:1 88:3	V, AF, M				
88:5-10	I, V				
89:6-11					
89:12-14					
89:15 89:17-21	V, F, S, 701				
89:23-90:1 90:3-12	V, F, H				
90:14 90:16-22	V, F, H				
93:16-18	V, I, H				
93:19-21	V, I				
93:24-94:1	V, I				
94:2-3 94:5-6	V, AF				

Joseph Santy May 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
94:8-11					
94:12-13 94:15-16	V, F				
94:18-23 94:25	V, F, C, Hyp				
95:2 95:4-5	V, I				
95:7-8					
95:9-13					
95:14-16					
95:17-18 95:20-22	V, C				
95:24-25 96:2-4	V				
96:12-14 96:16-18	V				
96:20-22 96:24	V, F, 701				
97:2-4 97:6-8	V, F				
97:10-13					
97:14-16 97:18	V, Hyp				
97:20-22	V				
97:23-98:4					
98:5-8	V, I				
98:9-12 98:14-15	V, C, F, Hyp				
98:17-20	I				
98:21-99:3 99:5-6	V, C, F, Hyp, 701				
99:8-11 99:13-14	V, C, F, Hyp, 701				
99:16-19 99:21	V, Hyp, 701, Spec				
100:18-25 101:2-17	V, C, AF				

Joseph Santy May 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
107:20-24					
107:25-108:2					
108:3-7					
113:12-13					
113:17-19					
113:20-21					
113:22-25	H, V				
114:3-4					
114:5	V				
114:7					
116:21-117:3					
117:4-9					
120:14-24					
120:25-121:1	V, C				
121:2-5	V, F				
121:6-8	V, F, AF				
121:10-12					
124:19-23					
124:24-125:3	V, F, S, Hyp				
125:5-7					
125:9-11	V, AF				
125:13					
125:15	V, F				
125:17-19					
125:21-22	V, F, M				
125:24-25					
126:2-3	V				
126:6	V, F				
126:8-10					
126:12-13	V, F, AF				
126:15-127:3					
133:11-14	V, AF, M				
133:16-19					
133:21-24	V				
133:25-134:3	V, C				
134:5					
134:7-10	V				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
134:13-17	V, M				
134:18-22	V				
134:23-25	V				
135:1-4	V, I				
135:5-7	V				
135:8-9	V, I				
136:15-18	V				
136:19-20	V				
136:21-23	V				
136:24-25	V				
137:1-5	V				
137:7-9					
137:11-14	V				
137:15-19	V				
137:23-24					
137:25-138:2	V				
138:4-11					
138:13-25	V				
139:1-5	V, C				
139:8-10	V				
139:11-14	I, C				
139:19-20					
139:23-25					
140:2-11	V, C				
140:12-14	I				
140:15-18	Hyp				
140:19-22	V, AF				
140:24-141:1					
141:3-5	V, M				
141:7-9					
144:10-14					
144:15-18					
144:22					
144:24-25					
145:1-9					
145:10-13	V				
145:15-17					

Joseph Santy May 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
145:19-21					
145:22-25	V				
146:1-3					
146:4					
146:8-13					
146:14-16					
149:6-8	V, F, Spec				
149:10-12					
149:14-19	V, M				
149:21-23					
149:25-150:4	V				
150:5-6	V				
150:8-10					
150:12-20	I, V				
150:21-151:6					
178:13-17					
178:18-19					
178:20-22					
178:23-24					
178:25-179:4	V, M				
179:5-7	V				

Joseph Santy December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
5:20-22		117:13-118:6	IMP, OBJ, LDG		
5:23-25		118:14-119:1	IMP, OBJ, LDG, FND		
6:1-3		120:20-121:12	IMP, OBJ, LDG		
6:4-5					
6:6-8					

Joseph Santy December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:9-21					
7:1-3					
7:4-6					
16:13-16					
16:17-18					
16:19-23					
17:13-16					
17:17-21					
18:5-7					
18:8-13					
18:14-18					
18:19-20					
18:22-25					
19:1-5					
19:6-14					
20:22-21:2					
22:7-8					
22:9-10					
22:25-23:2					
23:3-6					
24:23-25:1					
25:2-8					
26:12-14					
26:15-16					
26:17-19					
26:20-25					
27:1-3					
27:4-6 27:12	V, H				
27:18-22					
28:1-3 28:7-10	V				
28:12-23	V, AF				
29:12-15 29:19-22	V, AF				
29:24-30:2 30:5-20	V, AF, H				

Joseph Santy December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
30:22-25					
31:3-12					
32:13-16					
36:10-12					
36:13-14					
36:15-18					
36:19-20					
36:21-23	V, AF				
37:2-3					
37:5-6					
37:7-9					
37:10-13					
37:14-20					
37:21-38:3					
38:4-9					
38:10-16	V, I				
38:17-22	V				
38:23-39:1					
39:2-5					
39:6 -12					
39:20-23					
39:24-25	V, Spec				
40:3-4					
40:6-9					
41:6-15					
41:19-21					
42:3-4					
42:5-7					
42:8-10					
42:11-18	V, Spec				
42:25-43:3					
43:17-18					
43:20					
43:24-44:2					
45:13-16					
45:18-21					
45:22-46:8	V, C, M, N				

Joseph Santy December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
46:13-17					
47:2-17					
47:18-20					
47:21-23					
47:24-48:4					
48:5-15	H				
48:16-17	F, Spec				
48:21-49:1					
54:7-9	V				
54:12-16					
54:18-19					
54:20-24					
55:24-56:7	V, M				
56:8-11	Privacy				
56:14-15					
56:22					
56:24-25					
60:2-8					
60:9-19					
60:20-25					
61:1-6					
61:7-8	V, F, Spec				
61:11-14	V, F, Spec				
61:16-19	V, F, Spec				
61:20-62:2	V, F, Spec				
64:8-12					
64:13-16					
64:17-21					
64:22-65:1					
77:8-12	N, I, Arg				
77:13-19	V				
78:17-22					
78:23-79:4					
79:5-11					
79:12-16					
79:17-20					
79:21-24					

Joseph Santy December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
79:25-80:1					
80:2-3					
80:4-7					
80:8-12					
80:13-16	I, V				
80:17-18					
80:19-21	V				
80:22-81:2	V				
81:3-6	V				
84:1-2 84:7-11	V, F				
84:13-17 85:6-9	N, Arg, V				
85:11-86:1					
86:2-8					
89:1-11					
89:12-18	I, V				
89:19-21	V				
89:24-90:16	V				
90:18-21 91:2-12	V, LC, 701				
92:19-21					
92:22-23					
92:24-93:1					
93:2-5					
93:6-11					
93:12-13					
93:14-94:2					
94:3-8					
94:9-14					
94:15-18					
94:19-23 95:1 95:4-8	V, LC, 701				
95:10-96:9					
96:10-13					
96:14-15					

Joseph Santy December 17, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
96:16-20					
96:21-24					
98:16-18					
98:19-20					
98:21-24					
98:25-99:1					
103:12-14 103:18 103:20-104:8	V, F, Spec, 702				

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
6:7-8					
14:10-12					
14:13-15					
14:16-19					
14:20-24					
17:21-18:3					
18:4-10					
18:11-14					
18:15-18					
18:19-25					
19:1-6					
19:7-14					
19:15-18					
19:19-23					
19:24-20:5					
20:6-8					
20:9-11					
20:12-15					

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
20:16-20					
20:21-25					
21:1-4					
21:5-7					
21:8-11					
21:12-14					
21:15-16					
21:17-18					
30:14-16					
30:17-19					
30:20-21					
30:22-31:1					
31:2-13					
31:14-20					
31:21-32:5					
32:6-15					
32:16-20					
32:21-33:1					
33:2-3					
33:4-7					
33:8-13					
33:14-15					
33:19-20					
34:5-8					
34:13-17					
34:18-21					
34:25					
35:2-6					
35:7-12					
35:16-21					
35:22-24					
35:25-36:1					
36:2-4					
36:5-7					
36:8-11					
36:12-17					
36:18-21					

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
36:22-25					
37:1-3					
37:4-7					
37:12-16					
37:17-24					
37:25-38:4					
38:9-11					
38:12-16					
39:4					
39:5-8					
39:9-13					
39:14-16					
39:17-20					
39:21-25					
40:1-7					
40:8-10					
40:11-14					
43:8-17					
43:18-23					
43:24-44:1					
44:2-5					
44:6-10					
44:11-14					
44:15-17					
44:18-22					
44:23-25					
45:15-22					
45:23-46:7					
46:8-12					
46:16-19					
50:5-10					
50:11-18					
50:19-20					
50:21-23					
50:24-51:3					
54:14-21					
54:22-24					

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
54:25-55:2					
55:3-5					
55:6-9					
55:10-12					
55:13-15					
55:16-19					
55:20-22					
55:23-56:5		56:6-16	IMP		
60:18-22	H, 402, 403				
61:3-6					
64:12-20					
64:21-65:2					
65:3-6					
65:7-12					
65:13-18					
65:19-22					
65:23-66:1					
66:2-6					
71:11-17					
71:18-22					
71:23-72:1					
72:2-4					
72:5-6					
72:7-10					
72:11-15					
72:16-17					
72:18-23					
72:24-25					
73:1-4					
73:5-8					
73:9-13					
73:14-25					
74:1-5					
74:6-13					
74:14-16					
74:17-20					
74:21-24					

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
74:25-75:3					
75:4-7					
75:8-12		75:13-20	REL; IMP		
75:21-25					
76:1-2					
76:3-5					
76:6-9					
76:10-12					
76:13-19					
76:20-22					
76:23-77:1					
77:2-3					
77:4-8					
77:9-15					
77:16-22					
77:23-24					
77:25-78:2					
78:4-8					
78:10-14					
78:15-24					
78:25-79:1					
79:2-6					
79:7-12					
79:13-15					
79:16-19					
79:20-23					
79:24-25					
80:1-3					
80:4-16					
80:17-25					
81:1-4					
81:5-8					
81:9-11					
81:12-18					
81:19-20					
81:21-22					
81:23-25					

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
82:1-2					
82:3-5					
82:6-7					
82:8-13					
82:14-22					
82:23-83:1					
83:2-5					
83:6-7					
83:8-11					
83:12 83:15-17	H, 402, 403				
83:18-20	402, 403				
83:21-23	402, 403				
83:24-84:3	H, Spec, F, 402, 403				
84:4-5	402, 403				
84:6-8	402, 403				
84:9-15	402, 403				
85:9-16	H, 402, 403				
85:17-20 86:3-6	402, 403				
86:7-12	Spec, F, 402, 403				
86:13-14	402, 403				
86:15-17	402, 403				
86:18-87:3	402, 403				
87:4-6	F, 402, 403				
87:7-13	402, 403				
87:14-17	402, 403				
87:18-19	402, 403				
87:20-21	402, 403				
87:22-88:3	Hyp, 402, 403				
88:4-6	Arg, 402, 403				
88:7-9	Arg, L, 402, 403				
88:10-12	Arg, L, 402, 403				

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
88:13-17	402, 403				
88:18-20	402, 403				
88:21-25	402, 403				
89:1-3	M, 402, 403				
89:4-10					
89:11-14					
89:15-20					
89:21-22					
89:23-24		89:25-90:7	IMP		
95:23-96:1					
96:2-4					
96:5-7					
96:8-14					
96:15-17					
97:24-98:10					
98:11-16					
98:17-18					
98:19-24 99:3-14	M, L, 402, 403				
99:16 99:20-22	402, 403				
99:23-24					
99:25-100:1					
100:2-3	AF, 402, 403				
100:4-5					
100:6-11					
100:12-14					
100:15-16					
100:17-20		100:21-101:15	NR; IMP		
101:16-23	M, 402, 403	100:21-101:15	NR; IMP		
101:24-102:3					
102:5-19		102:20-103:21	OBJ		
116:2-4					
116:5-7 116:10-11					
116:13-16					
116:17-20					

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
116:21-25					
117:1-3					
117:4-9					
117:10-12					
117:13-14 117:25-118:3		117:15-19	NR		
118:4-7					
118:8-13					
118:14-21					
118:22-119:3					
119:4-8 119:13-14					
119:18-120:1					
120:2-4					
120:5-14					
120:15-16					
120:17-18					
120:19-25					
121:1-4					
121:5-6					
121:7-12					
121:13-16					
121:17-21					
121:22-122:9					
122:10-13 122:20-21 122:23-25	402, 403				
123:2 123:4	402, 403				
123:6-7	402, 403				
123:8-17	402, 403				
123:18-22 123:24-124:3	402, 403				
124:5-7	402, 403				
124:8-13 124:15-21	402, 403				
124:23-25	402, 403				

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
125:1-5	402, 403				
125:6-9	402, 403				
125:10-13	402, 403				
125:14-20	402, 403				
125:21-22	402, 403				
125:23-126:3	402, 403				
126:4-7	402, 403				
126:8-17	402, 403				
126:18-19	402, 403				
126:20-22	402, 403				
126:23-127:3	402, 403				
127:4-7	402, 403				
127:8-9	402, 403				
127:10-11	402, 403				
127:12-13	402, 403				
127:14-16	402, 403				
127:17-19	402, 403				
127:20-22	402, 403				
127:23-24	402, 403				
127:25-128:2	402, 403				
128:3-4	402, 403				
128:5-7	402, 403				
128:8-9	402, 403				
128:12-14	402, 403				
128:16-18	402, 403				
128:19-24	402, 403				
128:25-129:9	402, 403				
129:24-130:5	402, 403				
130:6-13	402, 403				
130:14-19	402, 403				
130:20-22	402, 403				
130:23-131:3	402, 403				
131:4-6	402, 403				
131:7-14	402, 403				
131:15-19	402, 403				
131:20-25	402, 403				
132:1-3	402, 403				

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
132:5-6					
132:8-13	402, 403				
132:14-16	402, 403				
132:17-21 132:24-133:4 133:9-15	402, 403				
133:16-20 133:23-134:4	402, 403				
134:6-9	402, 403				
134:10-16	402, 403				
134:17-19	402, 403				
136:11-14	402, 403	136:15-24; 138:18-139:3	IMP; AMB; OBJ; CM		
139:14-17 139:20-25	402, 403				
140:2-5 140:7-13	402, 403				
140:15-20	402, 403				
140:21-141:2	402, 403				
141:3-8	402, 403				
141:9 141:12-13	402, 403				
141:15-20	Spec, F, 402, 403	141:25-142:2			
142:12-13 142:16-17					
142:19-22					
142:23-143:2 143:10-11	402, 403				
143:13-17	402, 403				
143:18-20 143:25-144:1	402, 403				
144:2-4 144:8-10	402, 403				
144:11-14 144:17-18	402, 403				
144:20-21	402, 403				

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
144:22-23 145:1	402, 403				
145:17-20	402, 403				
145:21-23	402, 403				
145:24-146:1	402, 403				
146:2-6	402, 403				
147:7-9	402, 403				
147:10-14	402, 403				
147:15-17	402, 403				
148:8-11	402, 403				
148:12-15	402, 403				
148:16-18 148:21-149:2	402, 403				
149:4-14	402, 403				
149:15-16	402, 403				
149:17-19	402, 403				
149:20-25	402, 403				
150:1-9	402, 403				
150:10-17	402, 403				
150:18-20	402, 403				
150:21-22	402, 403	151:5-24	IMP		
152:17-19 153:12-14	H, 402, 403				
153:15-18					
153:19-21					
153:22-23					
153:24-154:1					
154:2-3					
154:4-6					
154:7-10					
154:11-14					
154:15-19					
154:20-22					
154:23-155:1					
155:2-17 156:1-2	H, Spec, F, 402, 403, 701				
156:4-9	H, Spec, F, 402,				

Vanessa Schneider December 11, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
	403, 701				
156:10-14	H, Spec, F, 402, 403, 701				
156:15-16 156:19-22	H, Spec, F, 402, 403, 701				
156:24-157:1 157:7-11	402, 403				
157:12-13 157:16-19	M, F, 402, 403				
157:21-158:2 158:8-15	M, 402, 403				
158:17-19 158:23-24	M, L, 402, 403				
159:2-5					
159:6-7					
159:8-10					
159:11-13					
159:14-15	402, 403				
159:16-18	Spec, F, 402, 403				
159:19-23	Spec, F, 402, 403				
159:24-160:1	Spec, F, 402, 403				
160:2-9	Spec, F, 402, 403				
160:10-13 160:16-17	Spec, F, 402, 403				

Jeff Schwartz December 18, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
8:8-9					
12:5-8					
12:9-10					
12:14-16					
12:20-22					
13:4-6					
13:7-9					
13:10-13					
13:14-15					
16:1-4					
16:9-12					
16:13-17					
16:18-21					
16:22-25					
17:1-8					
17:17-21					
18:8-12		47:6-47:11	IMP		
18:13-15		53:7-53:10	IMP	53:11-14, 53:19-54:9	H, 402, 403
18:18-19 18:23-24		58:7-58:9	IMP		
19:1-6		66:3-66:11	IMP		
19:7-9		67:1-67:5	IMP		
19:10-12		69:6-69:23	IMP, OBJ		
20:10-15		69:25-70:11	IMP, OBJ		
20:16-19		70:13-70:17	IMP	70:18-71:3, 71:15-20, 71:23-72:7	H, L, 402, 403
24:22-25:2 25:5		72:8-72:18	IMP	72:20-23	Spec, L, 402, 403, 701
26:3-6 26:10-11		76:12-78:1	IMP, OBJ		
27:12-17					
27:18-21					
27:22-28:2					
32:7-11					
32:12-14					

Jeff Schwartz December 18, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
32:15-18					
32:19-22					
33:23-34:1					
34:2-3					
34:8-14					
34:24-35:3 35:8-9	F, Spec, V, 402, 403				
35:10-11 35:14-15	F, Spec, V, 402, 403				
36:11-13	F, Spec, V, 402, 403				
36:14-16 36:19-20	F, Spec, V, 402, 403				
36:22-37:2 37:5-6	F, Spec, V, 402, 403				
37:13-15	F, Spec, V, 402, 403				
37:18-19					
38:10-13					
38:14-15 38:19	F, Spec, V, 402, 403				
39:1-2					
41:1-11 41:14-15	F, Spec, V, 402, 403				
41:17-24					
41:25-42:8					
42:9-12 42:15-19	F, Spec, V, 402, 403				
46:20-22					
46:23-25					
47:1-5		47:6-47:11			
54:19-22		53:7-53:10		53:11-14, 53:19- 54:9	H, 402, 403
55:20-23					
55:24-56:5					
56:8-11 56:14-16	F, Spec, V, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
56:18-20 56:23-25	F, Spec, V, 402, 403				
57:17-19 57:22-58:2	F, Spec, V, 402, 403				
58:10-21		58:7-58:9			
58:22-25 59:3-5	Hyp, F, Spec, V, 402, 403				
59:7-8					
59:9-10 59:13-17	F, Spec, V, 402, 403				
63:6-9					
63:19-25					
64:1-3					
64:4-7					
64:19-23 65:1-5					
65:7-11 65:14-15					
65:23-66:2					
66:12-22		66:3-66:11			
66:23-25		67:1-67:5			
67:16-23		69:6-69:23	OBJ		
67:24-68:2					
68:3-6 68:10-12					
68:14-16					
68:17-19 68:22-25	V, C				
69:2-3					
69:4-5		69:25-70:11	OBJ		
72:24-73:1 73:4-7	F, Spec, V, 402, 403	70:13-70:17		70:18-71:3, 71:15-20, 71:23-72:7	H, L, 402, 403
73:16-19 73:23-25	AF, Spec, V, 402, 403	72:8-72:18		72:20-23	Spec, L, 402, 403, 701
74:1-2 74:7-12					

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
75:3-6					
75:7-14					
75:15-21					
75:22-76:1					
76:2-8		76:12-78:1		OBJ	
88:1-4	V, C				
88:7-12					
88:14-19					
97:6-7	F, Spec, V, 402,				
97:9-10	403				
97:12-13	F, Spec, V, 402, 403				
97:16-17	F, Spec, V, 402, 403				
97:18-25	F, Spec, V, 402, 403				
98:1-6					
98:7-9	F, Spec, V, 402,				
98:12-16	403, LC				
98:18-20	F, Spec, V, 402,				
98:25-99:2	403, LC				
99:4-6	F, Spec, V, 402, 403, LC				
101:2 101:5-7		100:10-101:1	OBJ, HRS, REL, 403		
103:3-5					
103:6-9					
104:10-13 104:16-17	Hyp, F, Spec, V, 402, 403				
104:19-105:6 105:11-12	Hyp, F, Spec, V, 402, 403				
105:14-16	F, Spec, V, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
9:5-6					
9:7-10					
9:11-13					
9:14-16					
9:17-18					
9:19-20					
9:21-24					
9:25-10:2					
11:6-8					
33:4-6					
33:7-11					
33:12-14					
33:15-18					
33:19-21					
33:22-25					
34:1-5					
34:6-7					
34:8-11					
37:25-38:2					
38:3-5					
38:6-7					
38:8-12					
38:13-16					
38:17-18					
38:19-20					
53:1-4	402, 403				
53:8-9					
71:7-13					
71:14-17					
71:18-21					
71:23-72:1					
72:2-8	L, F, 402, 403	72:9-24			
73:3-9	H, 402, 403				
73:10-14	H, 402, 403				
73:15-19	H, 402, 403				
73:20-23	H, 402, 403				
73:24-74:1	H, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
74:2-11	H, 402, 403				
74:12-14					
74:15-19	H, 402, 403				
74:20-22					
74:23-75:4					
75:5-8					
75:9-13					
75:14-18					
75:23-76:5	H, 402, 403				
76:6-9	H, 402, 403				
76:10-16	H, 402, 403				
76:17-20					
77:1-4					
77:5-7					
79:7-10	402, 403				
79:15-20	H, 402, 403				
79:21-24	H, 402, 403				
82:13-19	H, 402, 403				
82:20-24	402, 403				
82:25-83:3	402, 403				
84:25-85:7	H, 402, 403				
85:8-11	F, 402, 403				
85:12-14	L, F, 402, 403				
85:15-17	L, F, 402, 403				
86:12-16	402, 403				
86:17-20	402, 403, 701				
87:5-12	H, 402, 403				
87:13-17	402, 403				
87:18-20	402, 403				
87:21-22	402, 403				
87:23-25	402, 403				
88:1-5	402, 403				
88:6-10	402, 403				
88:11-13	402, 403				
88:14-17	402, 403				
88:18-23	402, 403				
88:24-25	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
89:2-3					
90:3-5 90:9-12	Spec, F, 402, 403, 701				
90:13-17 90:20	Spec, F, 402, 403, 701				
90:21-25	F, 402, 403				
91:1-4	Spec, F, 402, 403				
91:9-14	H, Spec, F, 402, 403, 701				
91:15-20	H, 402, 403				
91:21-23 91:25	H, 402, 403				
92:1-19	H, 402, 403				
92:20-22 92:24-25	Spec, F, 402, 403				
93:1-4	402, 403				
93:5-9	F, 402, 403				
93:10-12	F, 402, 403				
93:13-15	F, 402, 403				
94:9-16	H, 402, 403				
94:17-18	H, 402, 403				
94:19-23	H, 402, 403				
94:24-25	402, 403				
95:1-4	H, 402, 403				
95:8-13	H, 402, 403				
95:14-18	H, 402, 403				
95:19-21	402, 403				
95:22-25	402, 403				
96:1-7	H, 402, 403				
96:8-13	402, 403				
96:17-22	H, 402, 403				
96:23-25	F, 402, 403				
97:1-3	402, 403				
97:4-7	402, 403				
97:8-11	402, 403				
97:12-17	402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
97:18-20	402, 403				
98:9-14	H, 402, 403				
98:20-23	402, 403				
99:16-19	402, 403				
99:20-100:1	H, 402, 403				
100:2-5	H, 402, 403				
100:6-9	402, 403, 701				
103:5-10	H, 402, 403				
103:11-15	H, 402, 403				
103:16-104:2	H, 402, 403				
104:3-5 104:7-8	Spec, F, 402, 403				
104:9-12	L, 402, 403				
104:13-17	L, 402, 403				
104:18-20 104:22-23	402, 403				
104:24-25 105:2	402, 403				
105:3-7	Spec, F, 402, 403, 701				
105:8-13	L, 402, 403				
105:18-21	L, 402, 403				
105:22-24					
105:25-106:4					
106:5-9					
106:10-14					
106:15-19					
106:20-22					
106:23-107:4					
109:8-15					
109:16-19					
109:20-110:2					
110:3-9					
110:10-11					
110:12-14	F, 402, 403				
110:15-17 110:19-20	Arg, 402, 403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
110:21-23					
110:24-111:1					
111:2-4					
118:1-4					
118:6-7					
118:13-17					
118:21-22					
123:12-17					
123:18-21					
123:22-124:1					
124:2-10					
124:11-18					
124:24-125:1					
125:3-6					
125:7-10					
125:11-14					
127:15-18					
127:19-25	Spec, F, 402,				
128:3-4	403				
128:17-20	Spec, F, 402,				
	403				

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
5:13-16	N/A	N/A			
10:13-15	402, 403	N/A			
11:12-14	402, 403	N/A			
11:23-25	402, 403	N/A			
18:16-19	402, 403	N/A			
18:20-21	402, 403	N/A			

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
18:22-24	402, 403	N/A			
18:25-19:2	402, 403	N/A			
19:3-5	402, 403	N/A			
19:6-7	402, 403	N/A			
19:8-9	402, 403	N/A			
19:10-11	402, 403	N/A			
19:12-14	402, 403	N/A			
19:15-16	402, 403	N/A			
19:17-18	402, 403	N/A			
19:19-22	402, 403	N/A			
19:23-25	402, 403	N/A			
20:1-2	402, 403, NT	N/A			
20:3 20:5	402, 403, NT	52:13-53:3	OBJ		
20:7-8	402, V	52:13-53:3	OBJ		
20:9-11	402, V	52:13-53:3	OBJ		
26:11-14	402	N/A			
26:15-16	402	N/A			
26:17-19	402	N/A			
26:20-22	402	N/A			
26:23-24	402	N/A			
26:25-27:2	402	N/A			
27:3-4	402	N/A			
27:5-7	402	N/A			
27:8-10	402	N/A			
27:11-13	402	N/A			
27:14-16	402	N/A			
31:12-15	402	N/A			
31:16-18	402	N/A			
31:19-21	402	N/A			
31:22-25	402	N/A			
35:14-17	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
35:18-19	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
35:20-22	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
35:23-25	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
36:1-4	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
36:13-14	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
36:15-17	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
36:18-20	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
36:21-23	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
36:24-37:1	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:2-3 37:5	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:7-9	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:10-14	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:15-18	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:19-21	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:22-23	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
37:24-38:1	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
38:2-4	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
38:5-8	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
38:13-15	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
38:16-17	402	36:5-12; 75:4-21	LDG, AMB	74:21-75:3	H, L, 402, 403
39:9 39:11-13	402	40:14-41:9		39:22-25 40:1-2	H, L, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
				40:4-12	
39:14-15	402	40:14-41:9		39:22-25 40:1-2 40:4-12	H, L, 402, 403
39:16-18	402	40:14-41:9		39:22-25 40:1-2 40:4-12	H, L, 402, 403
39:19-21	402	40:14-41:9		39:22-25 40:1-2 40:4-12	H, L, 402, 403
41:10-11	402	40:14-41:9		39:22-25 40:1-2 40:4-12	H, L, 402, 403
41:12-14	402	40:14-41:9		39:22-25 40:1-2 40:4-12	H, L, 402, 403
42:3-5	402	N/A			
42:6-8	402	N/A			
42:9-12	402	N/A			
42:13-14	402	N/A			
42:15-16	402	N/A			
42:17-18	402	N/A			
42:19-21	402	N/A			
42:22-24	402	N/A			
42:25-43:3	402	N/A			
43:4-6	402	N/A			
43:7-10	402	N/A			
43:11-13	402	N/A			
43:14-16	402	N/A			
43:17-19	402	N/A			
43:20-23	402	N/A			
43:24-25	402	N/A			
44:1-2	402	N/A			
44:3-5	402	N/A			
44:6-7	402	N/A			
44:8-10	402	N/A			
44:11	402	N/A			

Dustin Stone December 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
44:13					
44:15-17	402	N/A			
44:18-21	402	N/A			
44:22-23	402	N/A			
44:25					
45:2-3	402	N/A			
45:4-5	402	N/A			
45:6-7	402	N/A			
45:8-9	402	N/A			
45:10-14	402	N/A			
48:17-20	402	N/A			
48:21-23	402	N/A			
48:24-49:1	402	N/A			
49:2-4	402	N/A			
49:5-7	402	N/A			
52:13-14	402	N/A			
52:16					
52:18-19	402	N/A			
52:20-22	402	N/A			
52:23-53:1	402	N/A			
53:2-3	402	N/A			
53:4-5	402	N/A			
53:6-7	402	N/A			
53:8-11	402	N/A			
53:12-15	402	N/A			
53:16-17	402	N/A			
53:18-20	402	N/A			
53:21-22	402	N/A			
56:6-8	402, 403	57:2-5		57:6-15	
56:9-11	402, 403	57:2-5		57:6-15	
56:12-14	402, 403	57:2-5		57:6-15	
56:15-16	402, 403	57:2-5		57:6-15	
56:18					
56:20-23	402, 403	57:2-5		57:6-15	
60:14-17	402, 403	69:3-9; 70:3-12		69:10-11	402, 403
62:11-15	402, 403	63:15-18; 64:3-13;	IMP	74:3-5	F, Hyp, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
		64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2			
62:16-18	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
62:19-21	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
62:22-63:1	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
63:2-3	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
63:4-5	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
63:6-7	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24;	IMP	74:3-5	F, Hyp, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
		73:3-9; 73:25-74:2			
63:8-10	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
63:11-12	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
64:17-20	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
65:4-13 65:21 65:23-24	402, 403; H; NT	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
66:1-4	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
66:5-7	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
67:21-68:7	402, 403; H; NT	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
68:8-9	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
68:10-13	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
68:14-16	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
68:17-20	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
68:21-22	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
71:16-18 71:22	402, 403	63:15-18; 64:3-13;	IMP	74:3-5	F, Hyp, 402, 403

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Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
		64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2			
71:24-72:1	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:2-3	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:4-12	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:13-14	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:15-16	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:17-19	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24;	IMP	74:3-5	F, Hyp, 402, 403

Dustin Stone December 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
		73:3-9; 73:25-74:2			
72:20-22	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:23-24	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
72:25-73:2	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
73:3-5	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
73:6-9	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
73:10-13	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403

Dustin Stone December 14, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
73:14-15	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403
73:16-17 73:21-24	402, 403	63:15-18; 64:3-13; 64:21-25; 71:24-72:24; 73:3-9; 73:25-74:2	IMP	74:3-5	F, Hyp, 402, 403

Kerry Sullivan May 8, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
5:12-16					
5:17-18					
5:19-23					
6:19-21					
7:20-22					
7:23-25					
8:1-5					
8:6-9	611				
8:10-12					
8:13-15					
8:16-18					
8:19-24					
8:25-9:2					
9:3-5					
9:6-7					
9:8-9					

Kerry Sullivan May 8, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
9:10-12					
9:13-17					
13:23-14:1					
14:2-3					
14:4-7					
17:6-12					
17:13-15					
17:16-17					
17:18-20					
17:21-22 17:24	401, 403, V, Spec.				
17:25-18:1	401, 403, Spec.				
18:2-3 18:6					
18:7-8	I, 401, 403				
18:9-11					
20:17-21	611				
20:22-24					
25:6-7					
25:8-9					
25:10-12					
25:13-15					
25:16-19	Spec, F				
25:20-23	Spec, F				
25:24-25 26:3-4	I, F, Arg				
26:5-7	I, F, Arg				
26:8-9 26:11	I, F, Arg				
27:10-15					
27:16-19					
28:19-24	M				
28:25-29:5					
29:6-8					
29:9-11					
29:12-17	402				
29:25-30:2	402				

Kerry Sullivan May 8, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
30:3-4	402				
32:13-15					
32:16-19	611				
32:20-22	611				
33:1-2	V				
33:4					
33:5-8					
33:9-14					
33:15-17					
33:18-20	I	33:21-34:4			
34:5-7					
34:8-12					
34:13-14					
34:15-17					
34:24-25					
35:2					
35:3-5					
35:6-7					
35:8-10					
35:11-13					
35:14-15					
35:17					
35:18-21					
35:22-24					
38:20-23					
39:10-13	V				
39:14-16	611				
39:17-19	V				
39:20-24					
39:25-40:2					
40:3-4					
40:5-6					
40:7-9					
40:10-12					
40:13-14					
40:15-17					
40:18-20					

Kerry Sullivan May 8, 2018					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
40:21-23					
40:24-41:1					
41:8-11 41:13-15	701, Arg, F, 401				
42:3-4 42:6-7	701, Arg, F, 401, 611				
42:8-9					
42:10-11					
42:12-14					
43:2-5					
43:6-8					
43:9-11					
43:12-13	I, M, F, V				
43:18-20					
43:21 43:23-24	V, F, Spec	43:25-44:2		44:3-13	Spec, F, 402, 403, 701

Courtney Tallman March 5, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
8:24-9:7	H, 402, 403				
10:19-23 11:2-4	H, 402, 403				
13:18-19 13:21-22	402, 403				
16:7-12	H, 402, 403				
16:13-15 16:20	402, 403				
33:10-11 33:13	402, 403				
33:15-17	402, 403				

Courtney Tallman March 5, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
33:18-19	402, 403				
33:21-24	402, 403				
33:25-34:3	H, 402, 403				
45:25 46:3	H, 402, 403				
46:5-9 46:15	H, 402, 403				
46:16-19 46:21	H, 402, 403				
46:23-25					
47:2					
49:11-13 49:15					
49:17-18					
49:19-21					
49:23-24					
49:25-50:2					
50:3-5					
50:6-8		50:9-14; 50:22-24		50:15-21	402, 403
50:25-51:2		50:9-14; 50:22-24; 51:21-52:5	OBJ	50:15-21 52:6-12 52:14-19	H, 402, 403
51:9-11					
52:20-23					
53:8-10					
53:11-15					
53:16-19					
53:20-24 54:4-6					
54:7-9					
54:10-13					
54:14-16					
55:7-9					
56:12-13 56:15-20					
56:22-24					

Courtney Tallman March 5, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
56:25-57:4					
57:5-9 57:11					
57:13-14 57:16					
57:18-22					
57:23-24					
58:1					
58:3-7					
58:8-9 58:11					
58:13-14 58:16-20					
58:22-23 58:25					
59:2-5					
59:6-7 59:9					
59:11-15					
59:16-18 59:20					
59:22-24					
59:25-60:1 60:3					
60:5-8					
60:9-11 60:13-21		60:23-62:20	OBJ		
66:17-19 66:22-24 67:1					
67:3-4					
67:6-7					
67:9-11 67:13-14					
67:16-19 67:21	402, 403				
67:23-25	Hyp, 402, 403				

Courtney Tallman March 5, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter- Designations
68:3					
68:5-7	Hyp, 402, 403				
68:10					
68:12-14 68:17-18	Hyp, 402, 403				
68:20-25	402, 403				
72:8-11 72:13-17					
72:19-21 72:23					
72:25-73:3 73:5-9					
73:11-12					
73:13-16 73:18					
73:20-21 73:23-24					
77:10-23 78:3-5		76:16-77:9	OBJ		
78:6-7					
78:8-10					
78:11-13 78:15-18		79:4-24	OBJ		
80:1-8	H, 402, 403				
80:9-10					
80:11-17	H, 402, 403				
80:19-20					
80:22-23 81:1	H, 402, 403				
87:14-17 87:19	402, 403				
90:19-23 91:3-7					
91:8-13	H, 402, 403				
91:14-16	H, 402, 403				
91:17-19	H, 402, 403				
91:20-23	H, 402, 403				

Courtney Tallman March 5, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
91:24-25 92:2-3	H, 402, 403				
92:5-8	H, 402, 403				
92:9-10 92:13-14	H, 402, 403				
94:9-11 94:14	402, 403				
94:16-18 94:20-22					
94:24-95:2 95:4					
95:6 95:8					
95:10-14	402				
95:15-17	402				
96:10-15					
96:16-17 96:19-21					

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter- Designations	Defendants' Objections to Plaintiffs' Counter- Designations	Defendants' Counter- Designations	Plaintiffs' Objections to Defendants' Counter- Counter Designations
8:9-11	402, 403				
8:12-13	402, 403				
8:14-15	402, 403				
8:16-18	402, 403				
8:19-20	402, 403				
8:21-22	402, 403				
8:23-9:3	402, 403				
9:4-5	402, 403				
9:6-8	402, 403				

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
9:9-11	402, 403				
9:12-14	402, 403				
9:15-17	402, 403				
9:18-21	402, 403				
9:22-24	402, 403				
9:25-10:1	402, 403				
10:2-3	402, 403				
10:4-5 10:7	402, 403				
10:9-10 10:12	402, 403				
10:14-16	402, 403				
10:17 10:20	402, 403				
10:22-23 11:1	402, 403				
11:3-5	402, 403				
15:20-24					
15:25-16:4					
16:5-9 16:12					
16:14-15					
16:16-23	402, 403				
16:24-17:1 17:4-8	402, 403				
17:10-13	402, 403				
17:17-18 17:20-23	402, 403				
17:25-18:4	402, 403				
20:12-14					
20:15-17					
20:18-20					
21:9-11	402, 403				
21:12-14	402, 403				
21:15-16	402, 403				
21:25-22:2					
22:3-5					

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
22:6-8					
22:9-10					
22:11-15					
22:16-19					
22:20-23					
22:24-23:2					
23:6-8					
23:9-11					
23:12-14					
23:15-17					
24:2-4					
24:5-7					
24:8-12					
24:13-14					
24:15-16					
24:17-19					
24:20-21					
24:23					
24:25-25:2					
25:5					
25:7-9					
25:11-12					
25:16-17					
25:20					
25:22-26:1					
26:2-6					
26:7-9					
26:10-14					
27:24-28:4					
28:5-7					
28:17-18					
28:19-21					
28:22-24					
28:25-29:2					
29:3-5					
29:6-7					
29:8-13	H, 402, 403				

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
29:16-22					
32:21-33:2					
33:3-5					
34:10-12					
34:15-16					
34:18-20					
34:21-23					
34:24-25					
35:3-4					
35:6-8					
35:11-17					
35:19-23					
35:25					
36:2-3					
36:4-6					
47:8-9					
47:11-14					
47:16-22					
47:23-25					
48:1-3					
48:6-8	H, 402, 403				
48:10-19					
48:21-23	H, 402, 403				
48:24-49:1	H, 402, 403				
49:7-11					
49:12-13	H, 402, 403				
49:14-16	H, 402, 403				
49:17-21	H, 402, 403				
49:22-24	H, 402, 403				
50:1-2					
50:4-7	H, 402, 403				
50:9-10					
50:12-13	H, 402, 403				
50:15					
50:17-20	H, 402, 403				
50:23-51:3					
51:5-8	402, 403				

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
51:9-11	402, 403				
51:12-14	402, 403				
51:15-17 51:19	H, 402, 403				
51:21-52:1	H, 402, 403				
52:2-6		52:7-12			
53:10-12 53:14-15					
53:17-19 53:21-54:2					
54:4-7					
54:8-9					
54:10-11					
54:12-13					
54:14-15					
57:4-5 57:8	H, 402, 403				
57:10-12	402, 403				
57:13-16	402, 403				
57:17-20	402, 403				
57:21-25	402, 403				
58:1-4	402, 403				
58:5-8	402, 403				
58:9-11	402, 403				
58:12-13	402, 403				
61:5-8	402, 403				
61:9-11	402, 403				
61:12-16	402, 403				
61:17-20	402, 403				
61:21-24	402, 403				
61:25-62:4	402, 403				
62:5-8	402, 403				
62:9-11	402, 403				
62:12-24 63:1	H, 402, 403				
63:3 63:5	402, 403				

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter-Designations
63:7-8 63:10-11	402, 403				
63:13-21	H, 402, 403				
63:23	402, 403				
63:25-64:1 64:3-4	402, 403				
64:6-7 64:9-11	402, 403				
64:13-15	402, 403				
64:16-19	402, 403				
64:20-22 64:25-65:6 65:8-9	402, 403				
65:11-15					
65:18-19 65:22		65:24-66:8		65:20 66:9-67:1	H, Spec, F, 402, 403
74:9-14 74:16-17	H, 402, 403				
74:19 74:21-22	402, 403				
77:6-12 77:14-15					
77:17-20					
77:21-22 77:24-78:4					
78:6-9					
78:10-12 78:14					
78:16-21					
78:22-79:1 79:3					
79:16-20 79:23-80:1					
80:3-4 80:6					
80:8-11 80:13-15					
80:17-20					

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
80:21-22					
80:23-24					
81:3-6					
81:8					
81:10-11					
81:14					
82:6-12					
82:13-14					
82:15-18					
82:19-20					
82:23					
82:25-83:3					
83:4-5					
83:8					
83:10-12					
83:13-15		83:19-23	OBJ		
83:17					
83:25-84:6					
84:9-11					
86:19-22	H, 402, 403				
86:23-25	402, 403				
87:1-2	402, 403				
87:4					
87:7-10	H, 402, 403				
89:10-14	402, 403				
89:15-17	402, 403				
89:19					
89:20-23	H, 402, 403				
92:8-12	402, 403				
92:14-15	402, 403				
92:17-19	402, 403				
98:17-19	Spec, F, 402, 403				
98:21					
98:23-24	Spec, F, 402, 403				
99:1-2					
99:4	Spec, F, 402,				

Esther Vasquez March 4, 2019					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
99:6	403				
99:8-9 99:11-16	Spec, F, 402, 403				
99:18-21					
99:22-23					
99:24-100:2					
103:11-15		103:16-105:23; 115:6-116:7	OBJ, LDG		
105:25-106:4	Hyp, Spec, F, 402, 403	103:16-105:23; 115:6-116:7			
106:7-11 106:13-14	Hyp, Spec, F, 402, 403				
106:16-18	Hyp, Spec, F, 402, 403	106:19-107:18; 115:6-116:7	OBJ		
111:2-3 111:6-9					
111:10-12					
111:13-15		112:12-115:5	LDG, IMP		
116:25-117:5					
117:6-8	402, 403	119:12-121:3	LDG		
117:9-11	402, 403	119:12-121:3	LDG		
117:12-15	402, 403	119:12-121:3	LDG		
117:16-18 117:20-21	402, 403	119:12-121:3	LDG		
117:22-118:13	NT, 402, 403				
118:15-16 118:18	402, 403				
118:20-21	402, 403				

<p style="text-align: center;">Louis Zehil December 6, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
6:22-23		24:3-24:18	IMP		
9:18-19 9:23-24	F, 402, 403, V	46:12-46:14	IMP		
9:25 10:2 10:7-17	F, 402, 403, V, LC	50:8-50:10	IMP		
10:18-22 10:24-11:5	F, 402, 403, V, LC	51:6-51:7	IMP		
12:8-14 12:16-17	F, 402, 403, V, LC				
12:18-20 12:23-13:4	F, 402, 403, V, LC				
14:14-18	F, 402, 403, V, LC				
16:20-22 17:1-14	F, 402, 403, V, AF				
17:22-24 18:3-17	F, 402, 403, V, AF				
19:15-17 19:19	F, 402, 403, V, AF				
20:10-12	402				
23:5-7 23:10-24:2	F, 402, 403, V				
24:19-24 25:2-15	F, 402, 403, V, AF				
37:5-7 37:10-11	F, 402, 403, V				
37:12 37:16-19	F, 402, 403, V, Spec				
44:13-18	402				
44:19-20 44:22-25	402				
45:13-15	402				
45:16-17 45:20-46:11	F, 402, 403, V, LC				
47:3-5 47:8-9	Spec, F, 402, 403, V				
47:17-19	402				

<p style="text-align: center;">Louis Zehil December 6, 2018</p>					
Defendants' Designations	Plaintiffs' Objections	Plaintiffs' Counter-Designations	Defendants' Objections to Plaintiffs' Counter-Designations	Defendants' Counter-Designations	Plaintiffs' Objections to Defendants' Counter-Counter Designations
47:20-24	402				
47:25-48:12	402				
48:13-14 48:18-25	Spec, F, 402, 403, V				
49:24-25 50:3-7	Spec, F, 402, 403, V				
50:11-15 50:23-51:5	Spec, F, 402, 403, V				
51:17-19	402, 403				
52:2-4	H, 402, 403				
52:8-11	H, 402, 403				
52:18-20 52:25-53:4	F, 402, 403, Spec, AF, V				
53:5-7	402				
53:8-11	F, 402				
53:12-14 53:17	F, 402, 403, Spec, H				
54:12-14 54:18-24	F, 402, 403, Spec, H				
66:8-11	F, 402, 403				
66:22-23 67:16-68:1	F, 402, 403				
68:2-3 68:6-20	F, 402, 403, Spec, LC				
68:23-69:10	F, 402, 403, Spec, LC				
74:10-75:4	V, F, 402, 403				
76:9-12	402				
76:13-16	402, 403				
76:17-77:11	F, 402, 403				
81:12-14 81:17-23	F, 402, 403, Spec				

EXHIBIT 9

L'ORÉAL USA'S OBJECTION CODES

CODE	DESCRIPTION	BASIS
REL	Not Relevant	FRE 401-402
403	Prejudice Outweighs Probative Value	FRE 403
FND	Lacks Foundation/Personal Knowledge (assumes facts not in evidence, speculative, lacking reasonable basis or logical support)	FRE 602, 611, 901
CM	Cumulative	FRE 611
HRS	Hearsay	FRE 801-802, 805
CMP	Multiple Exhibits / Improper Compilation	FRE 611, 403, 901
INC	Incomplete Designation or Exhibit	FRE 106, 403
IMP	Improper Counter-Designation	
NP	Not Produced / Produced Untimely	FRCP 26, 37
ILO	Improper Expert Testimony by Non-Expert or Calls for Expert Testimony	FRE 701
LC	Calls for Legal Conclusion	
LDG	Leading	
MIS	Mischaracterizes Evidence or Testimony or Misleading	FRE 611
NR	Non-Responsive Answer	FRE 611
SPC	Calls for Speculation	FRE 401-403, 602, 701
ARG	Argumentative	
30(b)(6)	Outside Scope of 30(b)(6) Topic	FRCP 30(b)(6)
OBJ	Not Testimony, Includes Attorney Objections, Discussions	
AA	Asked and Answered	
AMB	Vague and ambiguous	
CPD	Compound	
HYP	Improper Hypothetical	FRE 501-502
PRV	Attorney Client Privilege or Work Product	FRE 501-502
<i>Daubert</i>	Document Subject to <i>Daubert</i> Motion	FRE 701-703
<i>Markman</i>	Document relates to Claim Construction Issues Already Decided	<i>Markman</i>

Plaintiffs' Objections

Objection Key

DESCRIPTION	OBJECTIONS
FEDERAL RULES OF EVIDENCE 401/402 (IRRELEVANT)	402
FEDERAL RULE OF EVIDENCE 403 (UNDULY PREJUDICIAL, CONFUSING, MISLEADING, DELAY, AND/OR WASTE OF TIME)	403
FEDERAL RULE OF EVIDENCE 602 (LACK OF PERSONAL KNOWLEDGE OR COMPETENCY)	602
LACKS FOUNDATION	F
CALLS FOR SPECULATION	Spec
DESIGNATION INCOMPLETE / INCOMPREHENSIBLE / INCOMPLETE QUESTION / ANSWER	I
VAGUE AND AMBIGUOUS	V
IMPROPER / INCOMPLETE HYPOTHETICAL	Hyp
COMPOUND	C
ASSUMES FACTS NOT IN EVIDENCE	AF
FEDERAL RULE OF EVIDENCE 408 (COMPROMISE OFFERS AND NEGOTIATIONS)	408
FEDERAL RULE OF EVIDENCE 501 (PRIVILEGE)	P
FEDERAL RULE OF EVIDENCE 611(C) (LEADING)	611
IMPROPER LAY OPINION / IMPROPER EXPERT TESTIMONY BY NON-EXPERT	701
IMPROPER TESTIMONY BY EXPERT WITNESS	702/703
FEDERAL RULE OF EVIDENCE 802 (HEARSAY)	H
FEDERAL RULE OF EVIDENCE 611(B) (BEYOND SCOPE OF DESIGNATIONS)	BSD
NOT TESTIMONY – INCLUDES ATTORNEY OBJECTIONS AND/OR DISCUSSIONS BETWEEN ATTORNEYS	NT
BEYOND SCOPE OF 30(B)(6) NOTICE / QUESTIONS	S
ARGUMENTATIVE	Arg
MISCHARACTERIZATION	M
CALLS FOR LEGAL CONCLUSION	LC
NON-RESPONSIVE	NR
NARRATIVE	N

EXHIBIT 10

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
1	1/11/2017	Pgs. 1-4			Declaration of Sara Lim ISO Olaplex Motion for PI	
2	4/1/2015	Pgs. 1-7			Archesnews.com Web article "Olaplex: The Science Behind the Strand"	
3	6/2/2014	Pgs. 1-4			Mechessalonla.com web article" Shay Mitchell's Sun-kissed Tips"	
4	3/31/2016	Pgs. 1-2			USPTO- Declaration undre 37 CFR Sectio 1.132 by Dean Christal	
5	11/22/2016	Pgs. 1-16			USPTO - Patent No. 9,498,419 "Keratin Treatment Formulation and Methods	
6	2/5/2015	Pgs. 1-22			USPTO - Publication US 2015/0034117 A1 "Methods for Fixing Hair and Skin"	
7	9/17/2015	Pgs. 1-10			Modern Salon web article: "Hero Complex: An Interview with Dean Christal of Olaplex"	
8	5/8/2014	OLA 0000015590	OLA 0000015590	Confidential	Christal email to Owens re Allure Magazine breakthrough feature	
9	4/14/2015	Pgs. 1-2			Joe Santy Facebook Page	
9A	8/8/2014	Pgs. 1-2			Joe Santy Facebook Page	
10	8/13/2016	OLA 0000025375	OLA 0000025376	Confidential	Christal email to Holz re Mondays launch email with forwarded message from Walden to Auer, Christal cc: Darcy Christal, Holz, Berkshire	
11	12/6/2012	OLA 000025876	OLA 000025878	Confidential	Pressly email to Christal re Working agreement 11-30-12/5% updated	
12		Pgs. 1-65			Liqwd, Inc. and Olaplex First Amended Complaint, USDC-DE 17-14	
13	5/20/2014	OLA 0000000027	OLA 0000000031	Confidential	Liqwd Inc. License Agreement to Olaplex LLC, executed	
14	1/11/2017	Pgs. 1-17			Declaration of Tiffany Walden ISO Olaplex Motion for PI	
15	3/21/2017	Pgs. 1-7			Vanguard Law web article: Tiffany Walden - Olaplex: A hair-raising case for Olaplex Legal Consel	
16	1/14/2003	Pgs. 1-13			Unexamined Kim Patent Publication No. 2003-0003970 by LG Household & Health Care, Ltd, Seoul, Korea	
17	12/29/2014	OLA 0000025883	OLA 0000025885	Confidential	Christal email to Hernand re Agreement with Chemist #1/Olaplex with forwarded email from Pressly to Christal	
18	10/23/2016	OLA 0000025890	OLA 0000025891	Confidential	Hawker email to King re Working Agreement 12-6-2012 forwarding email chain between Hawker and Christal	
19	12/6/2012	OLA 0000025886	OLA 0000025889	Confidential	Mutual Non-Disclosure Agreement, unsigned	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
20	7/17/2013	OLA 0000025879	OLA 0000025882	Confidential	Mutual Non-Disclosure Agreement, unsigned	
21	8/28/2014	Pgs 1-4			Assignment between Pressly, Hawker and Liqwd, Inc.	
22	2/24/2017	Pg 1 of 1			Intellectual Property Theft Investigation NC Conference of District Attorneys	
23	3/15/2017	OLA 0000024712	OLA 0000024713	Confidential	Email exchange between Walden and Sutin re Hello & Jennifer Lopez	
24	4/13/2015	Pgs 1-114			www.labmuffin.com web article "How does Olaplex Hair Treatment Work"	
25	1/12/2017	Pg. 1-21			Declaration of Craig J. Hawker, Ph.D ISO Motion for PI	
26		Pg. 1-40			Provisional Application for United States Patents by Pressly and Hawker for Hair Treatment Compositions and Methods	
27	10/6/2014	OLA 0000023756	OLA 0000023757	Confidential	Nikitilakis (Director of Cosmetic Chemistry) letter to Christal re Application 4-07-2014-2449	
28	8/4/2015	Pgs. 1-23			USPTO Pressly Patent No. 9,095,518 B2	
30	3/10/2014	OLA 0000015035	OLA 0000015040	Confidential	Sample 29261 Notes	
31	1/25/2017	OLA 0000017608	OLA 0000017608	Confidential	Hawker email to Pressly re Another with forwarded email from McNie, Engineering UCSB to Hawker	
32	1/12/2017	Pgs. 1-31			Declaration of Edward T. Borish, Ph.D ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge
33	1/12/2017	Pgs. 1-5			Exhibit G to Borish Declaration ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication, Best Evidence Rule
34	1/12/2017	Pgs. 1-7			Exhibit E to Borish Declaration ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication, Best Evidence Rule
35	1/12/2017	Pgs. 1-2			Exhibit F to Borish Declaration ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication, Best Evidence Rule

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
36	1/12/2017	Pgs. 1-2			Exhibit C to Borish Declaration ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication, Best Evidence Rule
37	1/12/2017	Pgs. 1-4			Exhibit D to Borish Declaration ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication, Best Evidence Rule
38	5/15/2015	Pgs. 1-6			UPSTO Pressly Declaraton Under CFR Section 1.1132 for Keratin Treatment Formulations and Methods	Hearsay, Lacks foundation / personal knowledge, Authentication
39	1/12/2017	Pgs. 1-14			Exhibit B to Borish Declaration ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication, Best Evidence Rule
41	1/11/2017	Pgs. 1-14			Declaration of Nisha M. Mody, Ph.D ISO Motion for PI	
42	1/11/2017	Pgs. 1-6			Exhibit A to Mody Declaration ISO Motion for PI	
43	3/31/2017	Pgs.1-340			Mody Deposition Binder	
44	3/20/2017	Pgs 1-15			Notice of Subpoena to Pressly	Incorrect description
46	00/00/0000	Pg. 1 of 1			Pressly Handwritten Notes	
47	6/26/2013	OLA 0000025911	OLA 0000025912	Confidential	Pressly email to Christal re Disclosure of External Activity with forwarded email from Englander to Hawker cc Pressly	
48	9/5/2016	OLA 00000015682	OLA 00000015683	Confidential	Christal email to Pressly re small change in last paragraph with attached Legrand argument doc	
49	7/12/2015	OLA 00000017599	OLA 0000017501	Confidential	Christal email exchange with Pressly re Olaplex with fowarded email from Halal to Christal	
51	00/00/0000	Pg 1 of 1			L'Oreal Smartbond instruction sheet	Authentication
52	00/00/0000	Pg 1 of 1			Redken Bonder instruction sheet	Authentication
53	00/00/0000	Pg 1 of 1			Matrick Bond Ultim8 instruction sheet	Authentication
54	00/00/0000	Pg 1 of 1			Pravana Chroma Silk Wild Orchid product label	Authentication, Hearsay, Foundation, Relevance, Incomplete Document
55	00/00/0000	Pg 1 of 1			Pravana Chroma Silk Pastels product label	Authentication, Hearsay, Foundation, Relevance, Incomplete Document

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
56	4/7/2017	Pgs. 1-66		HC	Declaration of Robert JW Hefford Ph.D. ISO of Oppostion to Plaintiffs' Motion for PI (Under Seal)	Hearsay
57	4/7/2017	Pgs. 1-87		HC	Declaration of Robert JW Hefford Ph.D. ISO of Oppostion to Plaintiffs' Motion for PI (Under Seal) with Exhibits attached.	Hearsay
58	4/7/2017	Pgs. 1-28			Exhibit H to Hefford Declaration ISO of Opposition to Plaintiffs' Motion for PI	Authentication, Relevance
59	00/00/0000	Pgs. 1-2			Photos of test samples	Authentication, Hearsay, Foundation, Relevance, Incorrect description,
60	00/00/0000	Pgs. 1-12			Pages 31-42 of Title 32- Food and Drugs Section 321	Authentication, Relevance
61	00/00/0000	Pgs. 1-19			Mowery Declaration Exhibit I	
63	3/31/2016	Pgs. 1-12			USPTO Third Part Submission Under 37 CFR Section 1.290 in Support of Application of Pressly No. 15/087,415	Relevance, incomplete document
64	1/10/1984	Pgs. 1-15			USPTO Grollier Patent No. 4,425,132 - Two-Stage Process for Dyeing Keratin Fibres	
65	5/15/2015	Pgs. 1-10			USPTO Office Communication to Pressly, Application No. 14/713,885	Incomplete document
66	5/2/2017	Pgs. 1-7			Olaplex First Amended Rule 30b6 Deposition Notice to Defendants No. 2	
67	5/7/2017	Pgs. 1-2			Linkedin.com web page - Leslie Marino	
68	5/7/2017	Pgs. 1-2			Modern Salon web article: Redken GM Leslie Marino on 2014 and Beyond	
69	5/10/2017	Pgs. 1-10		HC	Defendants' Objections and Responses to Plaintiffs' Second Interrogatory	
70	5/2/2017	Pgs. 1-3			L'Oreal Finance web article: L'Oreal USA's Saloncentric to Acquire Key assets from Four Star Salon Services to Expand Northeast Service	Hearsay, Authentication, Lacks foundation/personal knowledge
71	00/00/0000	Pg 1 of 1		Confidential	Spreadsheet, annotated re Redken, Matrix, L'Oreal, Olaplex Bond	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
72	00/00/0000	Pg 1 of 1		HC	Spreadsheet- Units Sold/Revenues	Hearsay, Authentication, Lacks foundation/personal knowledge, 403

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
73	8/28/2015	LO USA0000563	LO USA0000581	HC	L'Oreal Key Points/Scope of Study/Additives for Chemical Services - Custodian C. Goget	
74	4/27/2016	LO USA0001318	LO USA0001386	Confidential	Overview of Hair Protecting Additives - Author Julie Miller	
75	8/15/2016	LO USA0001824	LO USA0001826	HC	Stults email to Wefer, Lawton, Caffey cc: Brooke Fletcher re Olaplex Survey	Hearsay, Lacks foundation/personal
76	00/00/0000	Pgs 1-8			SalonCentric Bond Additive/Bond Multiplier Product Survey	Hearsay, Lacks foundation/personal
77	5/7/2017	Pgs 1-2			Linkedin.com web page - Lisa Morris	
78	5/7/2017	Pgs 1-2			Modern Salon web article: Lisa Morris Names General Manager of L'Oreal Professional USA	
79	00/00/0000	Pgs 1-4			L'Oreal Smartbond instruction sheet	Hearsay, Authentication, Lacks foundation/personal knowledge
80	5/8/2017	Pg 1 of 1			SalonCentric Corporate Structure Tree	Hearsay, Authentication, Lacks foundation/personal knowledge
81	2/10/2015	LO USA0000864	LO USA0000865	HC	Sow email to Provot, Goget, Douin, Legrand, Sabbagh, Crim, Huff, Potin, Boulineau, Leung, Hamilton cc Lemaire re Brazilian Bond Build with attached email chain (Custodian Goget)	
82	7/19/2016	LO USA0000876	LO USA0000877		Team Olaplex letter to Our Customers (Custodian Dreher)	
83	5/7/2017	Pgs 1-2			LinkedIn.com web page-Paul Schiraldi	
84	5/7/2017	Pgs 1-2			Salontoday.com web article - Matrix Announces Leadership Changes	
85	2/13/2016	LO USA0001632	LO USA0001633	HC	Bethelmy-Rada email to Azancot, Verhulst, Roos, Schiraldi, Parenty, Fontaine re Matrix Bonder Update	Hearsay, Incomplete document, 403
86	10/3/2016	LO USA0000374	LO USA0000377	HC	Bond Ultim8 Launch Details	
87	10/31/2016	OLA USA0000416	LO USA0000417	HC	Vissat email to Mann cc: Baris re Bond comparisons with attachment Bond competitive inclusive overview ppt.	
88	4/7/2017	Pgs. 1-31		Confidential	Declaration of Todd Schoettlekotte ISO of Oppositon to Plaintiffs' Motion for PI	Hearsay, Lacks foundation / personal knowledge, Authentication
89	5/15/2017	Pgs 1-2			saloncentric.comSearch Results "bonder"	Hearsay, Lacks foundation / personal knowledge, Authentication

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
90	12/31/2016	Pgs 1-25		HC	Olaplex LLC Quantity and Sales Report for USA - April 1, 2015-December 31, 2016	Hearsay, Lacks foundation / personal knowledge, Authentication
91	8/20/2015	LO USA0000271	LO USA0000276	HC	Redken Bond Expert (Custodian: brand managers)	Hearsay, Lacks foundation / personal knowledge, Authentication
92	2/14/2016	LO USA0000110	LO USA0000122	HC	PPD BonderTarget Pad: July 2016 (Custodian: S. Schienvar)	Hearsay, Lacks foundation / personal knowledge, Authentication
93	6/17/2015	LO USA0000075	LO USA0000092	HC	A New Market Category: The Bond Builders (Custodian: R. Dolden)	Hearsay, Lacks foundation / personal knowledge, Authentication
94	7/29/2015	LO USA0000366	LO USA0000367	HC	Hair Protecting Additives Chart (Custodian: brand managers)	Hearsay, Lacks foundation / personal knowledge, Authentication
95	00/00/0000	LO USA0000211	LO USA0000211	HC	# 1 Bet: PH Bonder	Hearsay, Lacks foundation / personal knowledge, Incomplete Document, Authentication
96	7/22/2014	Pgs 1-147		Confidential-OAEO	Expert Report of Todd Schoettlekotte Relating to Irreparable Harm in American Petroleum Institute v. Bullseye Automotive Products USDC - Indiana 1:13cv112TWP-DML	Hearsay, Lacks foundation / personal knowledge
97	6/00/2015	Pgs 1-56			Salon Hair Care: US Market Analysis and Opportunities	Hearsay, Lacks foundation / personal knowledge
98	5/2/2017	Pgs 1-8			Olaplex First Amended Rule 30b6 Deposition Notice to Defendants No. 1	
99	5/18/2017	Pgs. 1-11		Confidential	Defendants' First Supplemental Objections and Responses to Plaintiffs' First Set of Interrogatories (No.1)	
100	7/20/2016	LO USA0000136	LO USA0000138	HC	Impact of the dyes used in Bonding Additive P4 (Custodian: R&I)	Hearsay
101	3/11/2016	LO USA0000949	LO USA0000957	HC	Dreher Laboratory Notebook (1) L11616	Incomplete Document, Hearsay, Authentication, Lacks Foundation / personal knowledge
102	9/30/2015	LO USA0000171	LO USA0000172	HC	DeGeorge email to Goget, Habif, Chin, Potin, Hamilton, Velkov, Kanji, Hobby, Boulineau, Applebaum, Norwood re Weekly Bonding Project Update	Hearsay, Authentication, Lacks Foundation / personal knowledge

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
103	9/23/2015	LO USA0000653	LO USA0000653	HC	DeGeorge email to Boulineau, Goget, Hamilton, Puco referencing Hair Repair GPS competitors pptx (not attached)	
105	6/16/2016	LO USA 0000878	LO USA0000884	HC	L'Oreal Research & Innovation Officialization Notification International for Reken ReBond	Authentication, Lacks Foundation / personal knowledge, Hearsay
106	6/16/2016	LO USA0000144	LO USA0000158	HC	L'Oreal Research & Innovation Officialization Notification International for Reken ReBond	
107	00/00/0000	LO USA0000470	LO USA00000471	HC	Dye Capacity to PH and for modified PH	Incomplete Document, Authentication, Hearsay, Lacks Foundation / personal knowledge, Best Evidence Rule
108	7/22/2016	LO USA0000139	LO USA00000140	HC	Impact of the dyes used in Bonding Additive P4	Authentication, Hearsay, Lacks Foundation / personal knowledge
109	11/3/2015	LO USA0000937	LO USA0000937	HC	Dreher Laboratory Notebook (1) L11580	Incomplete Document, Hearsay, Authentication, Lacks Foundation / personal knowledge
110	00/00/0000	Pg 1 of 1			Redken Bio - Jeremy Puco	Authentication, Hearsay, Lacks Foundation / personal knowledge, Relevance
111	9/21/2016	LO USA0000141	LO USA0000141	HC	Goget email to Duez, Vandall cc: Puco, Boulineau re Patent Pending or Olaplex kits	Authentication, Hearsay, Lacks Foundation / personal knowledge
112	1/29/2016	LO USA0000942	LO USA0000948	HC	Dreher Laboratory Notebook (2) L11616	Incomplete Document, Hearsay, Authentication, Lacks Foundation / personal knowledge
113	5/25/2017	Pgs 1-41		Confidential	Rebuttal Declaration of Nisha Mody PhD ISO Olaplex Moion for PI	
113A	00/00/0000	OLA 0000057157	OLA 000057203		Group of Bonder images, Safety Data Sheets	Improper compilation of separate documents, Hearsay, Lacks foundation/personal knowledge, Authentication

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
114	4/26/2018	Pgs 1-265		HC	Supplemental Declaration of Nisha Mody PhD ISO Olaplex Renewed Motion for PI	
114A	9/9/2016	OLA 0000064066	OLA 0000064066	HC	Schwartz email to Orzel cc: Beard, Jeffries, Stewart re Sales Info	Hearsay, authentication
115	4/26/2018	Pgs 1-3		HC	Exhibit W to Supplemental Declaration of Nisha Mody PhD ISO Olaplex Motion for PI	
115A	2/14/2017	OLA 0000064128	OLA 0000064131	HC	Kalz email to Schwartz cc: Jeffries re Olaplex Sales with attached sales by channel MTD and by Item MTD	Hearsay, authentication
116	4/30/2018	Pgs. 1-19			Plaintiffs' First Supplemental Objections and Response to Defendants' Fifth Interrogatory	
116A	4/11/2017	OLA 0000064140	OLA 0000064144	HC	Kalz email to Schwartz re March Sales Out with attached Sales Olaplex spreadsheet	Hearsay, authentication
117	4/26/2018	Pgs 1-16		HC	Exhibit G to Supplemental Declaration of Nisha Mody PhD ISO Olaplex Motion for PI	
117A	5/8/2017	OLA 0000064150	OLA 0000064154	HC	Kalz email to Schwartz cc: Orzel re Olaplex April Sales out with Sales Olaplex spreadsheet	Hearsay
118	5/25/2017	Pgs 1-2		Confidential	Exhibit B to Rebuttal Declaration of Nisha Mody PhD ISO Olaplex Motion for PI (?)	
118A	8/9/2017	OLA 0000064180	OLA 0000064184	HC	Kalz email to Schwartz re Sales Olaplex with attached Sales Olaplex spreadsheet	Hearsay, authentication
119	9/20/2017	OLA 0000064165	OLA 00000170	HC	Kalz email to Stewart, Schwartz cc: Beard re Q3 Buy in with attached Sales Olaplex spreadsheet	Hearsay, authentication
120	11/6/2017	OLA 0000064105	OLA 0000064109	HC	Kalz email to Schwartz cc: Jefferies, Beard re Sales Olaplex with attached Olaplex Sales spreadsheet	Hearsay, authentication
120A	4/26/2018	Pgs 1-35		Confidential	Supplemental Declaration of Edward T. Borish PhD ISO Olaplex Renewed Motion for PI	Hearsay, Lacks foundation/personal knowledge
121	2/5/2018	OLA 0000064095	OLA 0000064099	HC	Kalz email to Schwartz cc: Jefferies, Beard re Sales Olaplex with attached Olaplex Sales spreadsheet	Hearsay, authentication
121A	4/26/2018	Pgs 1-78		Confidential	Exhibit B to Supplemental Declaration of Edward T. Borish PhD ISO Olaplex Renewed Motion for PI (Rebuttal Declaration)	Hearsay, Lacks foundation/personal knowledge
122	3/1/2018	OLA 0000064171	OLA 0000064175	HC	Kalz email to Schwartz cc: Jefferies, Beard re Sales Olaplex with attached Olaplex Sales spreadsheet	Hearsay, authentication
122A	11/22/2016	Pgs 1-16			US Patent 9,498,419 B2 - Pressly Patent	Incomplete document
123	4/2/2018	OLA 0000064145	OLA 0000064149	HC	Kalz email to Schwartz cc: Jefferies re Sales Olaplex with attached Olaplex Sales spreadsheet	Hearsay, authentication

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
123A	4/26/2018	Pgs 1-56		Confidential	Exhibit AF-1 to Supplemental Declaration of Edward T. Borish PhD ISO Olaplex Renewed Motion for PI	Improper compilation of separate documents, Hearsay, Lacks foundation/personal knowledge, Authentication
124	7/28/2016	OLA 0000064119	OLA 0000064127	HC	Doerrler email to Schwartz cc: Stevens re Olaplex Sales Out with attached Olaplex spreadsheet	Hearsay, authentication
124A	4/26/2018	Pgs 1-13		Confidential	Exhibit AF-28 to Supplemental Declaration of Edward T. Borish PhD ISO Olaplex Renewed Motion for PI	Authentication, Hearsay, Lacks foundation/personal knowledge
125	2015-2018	Pg 1 of 1			SalonCentric Out the Door Sales 2015-201	Incomplete document, Authentication, Lacks foundation/personal knowledge, Hearsay, 403
126	00/00/0000	Pg 1-2			Store Locations Distribution Area	Hearsay, Authentication, Lacks foundation/personal knowledge
126A	6/29/2017	Pgs 1-45			Second Amended Complaint - Liqwd and Olaplex v. L'Oreal	Incomplete document, Hearsay, Lacks foundation/personal knowledge
127	00/00/0000	Pg 1-3			B3 Brazilian Bond Builder SDS/MSDS Sheets	Hearsay, Authentication, Lacks foundation/personal knowledge
128	12/00/2015	Pgs 1-6			Safety Data Sheet - b3 Brazilian Bond Builder - Manufacturer Global Concepts Unlimited	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
128A	8/4/2015	Pgs 1-23			USPTO Patent No. 9, 085,519 B2 - Pressly Patent	
129	6/4/2015	OLA 000004067	OLA 000004068	HC	Baswell email to Jeff @ Olaplex re Announcement from Steve Orzel with attached Olaplex Launch at BSG.pdf	Hearsay, Authentication, Lacks foundation/personal knowledge
129A	1/14/2003	Pgs. 1-13			Unexamined Patent Publication No. 2003-0003970 by LG Household & Health Care, Ltd, Seoul, Korea	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
130	5/9/2017	Pgs 1-3			Declaration of Brad Champion ISO of Olaplex Reply	Hearsay, Lacks foundation / personal knowledge
130A	00/00/0000	Pges 1-3		HC	Olaplex v. L'Oreal USA Documents and Other Information Considered - Appendix 2	Hearsay, Lacks foundation/personal knowledge, Authentication
131	4/25/2018	Pgs 1-3			Declaration of Brad Champion ISO Olaplex's Renewed Motion for PI	Hearsay, Lacks foundation / personal knowledge
131A	2/12/2019	Pgs 1-4			Schoettlekotte Declaration Exhibit G	Hearsay, Lacks foundation/personal knowledge, Authentication
132	7/6/2017	Pgs 1-15			Liqwd and Olaplex v. L'Oreal Memorandum Order	MIL, Relevance, 403, Hearsay
133	5/21/2018	Pgs 1-25		HC	Declaration of Todd Schoettlekotte ISO of Defendants' Opposition to Plaintiffs' Renewed Motion for PI	Hearsay, Lacks foundation / personal knowledge
134	5/00/2017	Pgs 1-3			Declaration of Kerry Sullivan ISO Olaplex's Reply	Hearsay
134A	5/21/2018	Pgs 1-15		Confidential	Declaration of Nisha M. Mody, Ph.D ISO Motion for PI	Hearsay, Lacks foundation / personal knowledge
135	4/25/2018	Pgs 1-3			Declaration of Kerry Sullivan ISO Olaplex's Renewed Motion for PI	Hearsay
135A	5/25/2017	Pgs 1-43			Rebuttal Declaration of Nisha Mody PhD ISO Olaplex Motion for PI	Hearsay, Lacks foundation / personal knowledge
136	5/17/2017	Pgs 1-3			Declaration of Mark Spinks ISO Olaplex's Reply	Hearsay
136A	4/26/2018	Pgs 1-27			Supplemental Declaration of Nisha Mody PhD ISO Olaplex's Renewed Motion for PI	Hearsay, Lacks foundation / personal knowledge
137	5/7/2017	Pgs 1-5			www.cosmoprofbeauty.com "shop by brand" web pages	
137A	9/6/2016	OLA 0000064068	OLA 000006472	HC	Schwartz email to Bobitt, Meggo cc: Orzel re Our New Shelf with photo attachments	Hearsay, Lacks foundation / personal knowledge, Authentication, 403
138	00/00/0000	Pg 1 of 1			www.cosmoprofbeauty.com Color Products portal - Shop by category web page	
138A	1/11/2017	Pgs 1-8			Declaration of Tiffany Walden ISO Olaplex Motion for PI	Hearsay, Lacks foundation / personal knowledge
139	00/00/0000	Pg 1 of 1			www.cosmoprofbeauty.com Color Products portal - Shop by category web page	

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
139A	11/22/2016	OLA 0000064056	OLA 0000064056	HC	Bobitt email to Schwartz, Russell, Acker cc Orzel re Another basher	Hearsay, Lacks foundation / personal knowledge, 403
140	5/22/2018	Pgs 1-10			Olaplex's Rule 30b6 Deposition Notice to Defendants related to Renewed Motion for PI	
141	6/12/2018	Pg 1 of 1			Mowery email to Blumenfeld, Thakur Paunovich, Blackburn, Moghaddas, DiClemente, Cottrell, Moyer, Modi, Murray, Palys, Reich, Zeilberger Olpalex Loreal USDC, Peachman, Rawnsley, re Liqwd v. Olaplex with attached Highly Confidential Defendants' Fourth Supplemental Objections and Responses to Plaintiffs' Second Interrogatory (no Attachment)	Hearsay, Lacks foundation/personal knowledge
142	6/12/2018	Pgs 1-46		HC	Defendants' Fourth Supplemental Objections and Responses to Plaintiffs' Second Interrogatory	Hearsay
143	6/10/2018	Pgs 1-2			Smartbond Salon Kit and Smartbond Trial Kit - SalonCentric	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
144	6/10/2018	Pgs 1-4			Matrix Bond Ultim8 Salon Intro Kit - SalonCentric	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
145	00/00/0000	LO USA 0004226	LO USA 0004253	HC	NYTS Matrix Bond Ultim8	
146	00/00/0000	LO USA0003085	LO USA0003112	HC	Matrix Bond 8	Hearsay, Lacks foundation/personal knowledge, 403
147	4/8/2016	LO USA0002623	LO USA0002626	HC	Kunetz email exchange with Marino CC: Banks, Lawton re Bond Protectors	
148	00/00/0000	LO USA0002698	LO USA0002749	HC	Redken Fifth Avenue NYC	
149	6/10/2018	Pgs 1-13			www.saloncentric.com "Redken pH-Bonder Single Use Kit"	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
149A	5/7/2018	Pgs 1-3			www.cosmoprofbeauty.com "Matrix Bond Ultim8 Travel Kit"	Hearsay, Authentication, Lacks foundation/personal knowledge, 403

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
150	00/00/0000	Pg 1 of 1			Total Core Chart	Incomplete document, Hearsay, Authentication, Lacks foundation/personal knowledge, 403
151	00/00/0000	Pgs 1-14			Redken Color is the New Makeup	Incomplete document, Hearsay, Lacks foundation/personal knowledge, 403
152	9/6/2016	OLA 0000064068	OLA 0000064072	HC	Schwartz email to Bobitt, Meggo cc: Orzel re Our New Shelf with photo attachments	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
153	5/27/2018	OLA 0000064114	OLA 0000064118	HC	Alexander email to Jordan@olaplex.com re Valley SalonCentric Store September 6, 2016	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
154	5/27/2018	OLA 0000064092	OLA 0000064094	HC	Alexander email to Jordan@olaplex.com re SalonCentric Store- Santa Barbara September 6, 2016 photos	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
155	4/30/2015	LO USA0007909		HC	Ascione, Habif of L'Oreal to Hieronimus, Verhulst-Santos cc: Attal, Dolden, Goget, Gringauz, Kunetz, LeGrand, Pahin, Roze, Toutain re Olivia Project Executive Summary	
156	11/8/2015	LO USA0008147	LO USA0008153	HC	PPE Expert Evaluation Capacity	Hearsay, Authentication, Lacks Foundation / personal knowledge
157	2/15/2018	Pgs 1-24			USPTO Dreher Patent Application Publication US 2018/0042830	
158	8/31/2017	Pgs 1-34			USPTO Dreher Patent Application Publication US 2017/0246094	
159	5/13/2015	LO USA0008233	LO USA0008236	HC	Ali email to L'Oreal team re PEC Update - Hair Color	Hearsay, Authentication, Lacks foundation / personal knowledge
162	00/00/1981	Pgs 1-26			Thomas A. Furia, Author - CRC Handbook of Food Additives, Chapter 6 - Sequestrants in Food (pgs. 271-294)	Lacks foundation/personal knowledge
163	4/5/2018	Pgs 1-10			Defendants' Notice of Deposition of Olaplex LLC Pursuant to Rule 30b6 - Related to Motion for PI	

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164	5/14/2018	Pgs 1-2			Excerpt of Rough draft of Deposition of Joe Santy - May 14, 2018 pg. 119:9 - 120:14	
164A	7/28/2016	LO USA0008237	LO USA0008244	HC	L'Oreal Professionals Smartbond Communications Desk	
165	4/26/2019	Pgs 1-32			Declaration of Tiffany Walden ISO Olaplex Renewed Motion for PI	
166	3/10/2015	Pgs 1--6			Trademark/Service Mark Statement of use SN 86106997 - Bond Multiplier	
167	5/12/2015	Dolden 0001	Dolden 0015	Confidential	Christal/Dolden Text messages	
167A	5/7/2018	Pgs 1-12			Olaplex Distributor List	
168	9/2/2015	LO USA0028275	LO USA28277	HC	Dolden email to Roze re Project Olivia - Confidential with attached notes-September 1 Meeting with Dean Christal	
168A	6/10/2018	Pgs 1-5			Website printout: Bartlett, Pringle & Wolf LLP Certified Public Accountants and Consultants	
168B	4/26/2018	Pgs 1-16			Exhibit G to Supplemental Declaration of Nisha Mody PhD ISO Olaplex Motion for PI	Hearsay, Lacks foundation / personal knowledge, Authentication
169	9/2/2015	LO USA0049930	LO USA0049930	HC	Roze email to Dolden re Project Olivia - Confidential, redacted	Hearsay, Lacks foundation/personal knowledge, 403
169A	6/4/2018	Pgs 1-9		Confidential	Declaration of Lisa Lorden ISO Olaplex's Renewed Motion for PI	
169B	5/13/2018	Pgs 1-33			Plaintiffs' Second Supplemental Objections and Response to Defendants' Fifth Interrogatory	Hearsay, Lacks foundation/personal knowledge
170	10/5/2015	LO USA0026934	LO USA0026935	HC	Dolden email to Habib cc: Kanji, Cervantes re Olaplex IP with attached Dean Christal Facebook Posting	
170A	4/5/2018	Pgs 1-10			Defendants' Second Set of Interrogatories to Plaintiffs related to Motion for PI	
170B	00/00/0000	Pgs 1-15			www.influenster.com website printout re "Ion Color Brilliance Absolute Perfectic Booster Step One"	
171	10/15/2015	LO USA0049928	LO USA0049928	HC	Habib email to Dolden cc: Kanji, Cervantes re Olaplex IP	
171A	00/00/0000	Pgs 1-13			www.uberliss.com website "Bond Treatment"	
172	9/25/218	Pgs 1-3			LinkedIn Bio of Roger Dolden, EVP at L'Oreal	
172A	6/4/2018	Pgs 1-56			Supplemental Rebuttal Declaration of Edward T. Borish PhD ISO Olaplex's Renewed Motion for PI	Hearsay, Lacks foundation / personal knowledge
173	4/16/2015	LO USA0026489	LO USA0026491	HC	Dolden email to Morgan re Olivia Owner's Intention/Structure - Confidential	Hearsay, 403

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173A	11/22/2016	Pgs 1-4			USPTO Certificate of Correction re Patent No. 9,498,419 B2	Incomplete Document, Hearsay
174	2/26/2015	LO USA0035375	LO USA0035375	HC	Parenty email to Dolden re Olaplex	Hearsay, 403
174A	5/21/2018	Pgs 1-114		HC	Declaration of Benny D. Freeman, PhD, ISO Defendants' Opposition to Plaintiffs' Motion for PI, Exhibit J	Hearsay, Lacks foundation / personal knowledge
175	3/30/2015	LO USA0029197	LO USA0029199	HC	Kunetz email to Dolden, Evrard, Parenty, Fontaine, Verhulst-Santos, Roze cc: Roze, Hieronimus, Pivot re Confidential: Olaplex with attached feedback from meeting with Christal	
175A	5/21/2018	Pgs 1-18		HC	Declaration of Benny D. Freeman, PhD, ISO Defendants' Opposition to Plaintiffs' Motion for PI, Exhibit K	Hearsay, Lacks foundation / personal knowledge
176	4/7/2015	LO USA0028565	LO USA0028565	HC	Dolden email to Cervantes re Project Olivia	Hearsay, REL, 403
176A	5/21/2018	Pgs 1-53		HC	Declaration of Benny D. Freeman, PhD, ISO Defendants' Opposition to Plaintiffs' Motion	Hearsay, Lacks foundation / personal knowledge
177	7/4/2015	LO USA0026528	LO USA0026539	HC	L'Oreal Project Olivia Presentation	Hearsay, Lacks foundation/personal knowledge, 403
177A	5/21/2018	Pgs 1-44		HC	Declaration of Benny D. Freeman, PhD, ISO Defendants' Opposition to Plaintiffs' Motion for PI, Exhibit I	Hearsay, Lacks foundation / personal knowledge
178	4/16/2015	LO USA0028233	LO USA0028233	HC	Dolden email to Scharnsky re Project Olivia	Hearsay, REL, 403
179	4/20/2015	LO USA0028585-R	LO USA0028587-R; 28582R to 28584R	HC	Redacted Dolden email to Dolden re Project Olivia - Our Call today with attached email summaries of conversations	Privileged - document was clawed back, Hearsay, Improper compilation of separate documents, 403
180	7/2/2015	LO USA0049952	LO USA0049953	HC	Project Olivia Data Room/Clean Room Permission List for Confidential Information	Incomplete document, Hearsay, Foundation, 403
181	5/20/2015	LO USA0035071	LO USA00035074	HC	Allard email to Dolden, Kunetz cc Gringauz Cervantes re Olivia Meeting May 19th R&I assessment	
182	5/22/2015	LO USA0035264	LO USA0035270	HC	Niz, Cervantes, Cokleski, Dolden, Gigliotti, Goget, Habif email to Habif, Huether, Kanji, Land, Martin, Potin, Rabinowitz, Re, Srinivasan cc: Gringauz, Sarakatsannis re Project Olivia - Summary of Confidentiality Requirements and Data Room-Clean Room Access with attached permission list and summary requirements	

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183	4/27/2015	LO USA0036260	LO USA0035263	HC	Gringauz email to Dolden, Habif re Project Olivia Clean Team Guidelines v. 2 Confidential with attached guidelines	
184	5/19/2015	LO USA0025370	LO USA0025374	HC	Project Olivia Detailed Notes of May 19 Meeting	
185	5/5/2015	LO USA0028279	LO USA0028279	HC	Dolden email to Dolden re Project Olivia -Notes on R&I Meeting	
186	4/29/2015	LO USA0028663	LO USA0028664	HC	Dolden email to Verhulst-Santos, Roze, Hieronimus, Attal, Ascione, Evrard, Dubrule cc Dubrule, Pagliano, Parenty, Morgan, Kunetz, Gringauz, Habif, Allard re Project Olivia Status - Confidential	
187	5/13/2015	LO USA0028264	LO USA0028273	HC	Dolden email to Christal cc: Kunetz, Gringauz, Allard re Project Olivia- Confidential with attached negotiation agreement, initial request List-pre due diligence, discussion points	
188	5/15/2015	OLA 0000065778	OLA 0000065783	HC	L'Oreal/Olaplex Confidentiality Agreement - executed	
189	5/15/2015	Pgs 1-6			L'Oreal/Olaplex Confidentiality Agreement - executed	
190	4/20/2015	LO USA0026738	LO USA0026740	HC	Dolden email to Kunetz cc: Roze, Gringauz re Project Oliva Status - Confidential with attached memo	
191	5/11/2015	LO USA0060083	LO USA0060087	HC	O'Rourke email to Dolden re Project Olivia Status - Confidential with attached email chain between Hieronimus, Ascione, Verhulst-Santos cc: Attal, Roze, Gringauz, Habif, Kunetz	
192	6/29/2015	LO USA0035379	LO USA0035380	HC	O'Rourke email to Dolden re Olivia with attached email chain between Kunetz, Morgan, Dolden forwarding JPA email	
192T	6/29/2015	LO USA0035379	LO USA0035380	HC	Certified translation of O'Rourke email to Dolden re Olivia with attached email chain between Kunetz, Morgan, Dolden forwarding JPA email	Authentication, Hearsay, Foundation, Not produced
193	5/19/2015	LO USA0060088	LO USA00600893	HC	Gringauz email to Habif, Cervantes, Dolden cc: Sarakatsannis re Project Oliva Summary of Confidentiality Requirements with attached summary	

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194	5/22/2015	LO USA 0028284	LO USA0028306	HC	Dolden email to Pivet, Kunetz, Mulliez, Hieronimus, Verhulst-Santos, Evrard, Schmitt, Ascione, Allard, Chabot, Roze, Pagliano cc: Parenty, Morgan, Fluck, Habif, Cervantes, Gringauz, Rabinowitz, Huether, Kerschner, Carillon re Project Olivia - Meeting with Owner - Strictly Confidential with attached notes, sales detail, bills and materials	
195	6/11/2015	LO USA0028218	LO USA 0028220	HC	Dolden email exchange with Christal re Project Olivia	
196	6/17/2015	LO USA0030672	LO USA003673, 59967-59984	HC	Kunetz email to Dolden re update data with attached Olivia Investment Committee document and email chain between Kunetz and Pivet, David, Morgan, Fontaine	
197	7/1/2015	LO USA0066944	LO USA0066970	HC	Dolden email to O'Rourke re Olivia BP V1-1-D with attached Project Olivia Discussion Materials 20150701 and email chain between Gianni and Kerschner, Evrard, Milosh, Dauchy, Rabinowitz, Huether, Pagliano, Roze, Verhulst-Santos cc: Pivet, Morgan, Fluck, Dolden, Varieras, Staats, Benais, Pasqual, George, Ahmed	
198	5/19/2015	LO USA0060088	LO USA0060093	HC	Gringauz email to Habif, Cervantes, Dolden cc: Sarakatsannis re Project Olivia Summary of Confidentiality Requirements with attached summary	Authentication, Incomplete document, Hearsay, Foundation, 403
199	8/27/2014	LO USA000197	LO USA000197	HC	Zellner email to Hamilton, DeGeorge, Aelsen, Goget, Bryant, Leung, shaw re Olaplex Crosslinker with attached powerpoint	
200	6/4/2015	LO USA0013801	LO USA0013813	HC	Project Olivia Formula Screening Results to Habif, Kanji, Velkov, Goget, Potin, cc: Ascione, Legand, Lee, Norwood - Authors Applebaum, de la Bandera, Boulineau	
201	6/10/2015	LO USA0039744	LO USA0039746	HC	Soliman email to Goget, Boulineau cc: Norwood Velkov, Lee, Hamilton re Topline EV1506-Olaplex 3x MTT Maleic Acid and Diamine investigation with attachment	
202	6/10/2015	LO USA0065454	LO USA0065456	HC	Hamilton email to Goget cc: Danielski, Boulineau re AU1506-0031 Request for Cystic Acid	
203	6/22/2015	LO USA0039233	LO USA0039235	HC	Goget email to Hamilton, Boulineau re TR Bonding" project - Action plan for next week with attached email chain	

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204	6/22/2015	LO USA0065361	LO USA0065362	HC	Boulineau email to Loisel-Joubert, Re, Goget, Assaf-Vandescasteele, Javelot, Perez re maleac acid- diamine in bleach with attached email chain	
205	7/17/2015	LO USA0063822	LO USA0063823	HC	Boulineau email to Provot, Dalko-Osiba, Zellner, Danielski, adman, Kuntz, Jeulin, Greaves, Potter, Jegou, Bahdadli, Chodorowski, Legrand, Bryant, Keuong cc: Spenlehauer, Gireaud, Angevin, Goget, Hamilton, Jarrousse re Analytical chemistry action plan for Bonding - 17Jul15	
206	9/00/2015	LO USA0039877	LO USA39894	HC	L'Oreal Bonding September 2015 - Authors Goget, Boulineau, Hamilton, Puco, DeGeorge	
207	11/24/2015	Pgs 1-67			USPTO Electronic Acknowledgement Receipt - Application Number 62259564, Title of Invention "Composition for Treating the Hair", Inventor Provot	
208	12/14/2015	LO USA0065390	LO USA006536391	HC	Danielski analysis to Hamilton copy: Boulineau, Goget - Cysteic Acid Analysis - Project 2014-4285/A	Authentication, Hearsay, Lacks foundation / personal knowledge
209	3/8/2016	LO USA0065394	LO USA 0065395	HC	Danielski analysis to Hamilton copy: Boulineau, Goget - Cysteic Acid Analysis - Project 2014-4285/A	Authentication, Hearsay, Lacks foundation / personal knowledge
210	3/8/2016	LO USA0065392	LO USA0065393	HC	Danielski analysis to Hamilton copy: Boulineau, Goget - Cysteic Acid Analysis - Project 2014-4285/A	Authentication, Hearsay, Lacks foundation / personal knowledge
211	2/22/2007	LO USA0067926	LO USA0068083	HC	Danielski Laboratory Notebook L 10005	
212	7/24/2014	LO USA0022327	LO USA0022419	HC	Boulineau Laboratory Notebook L11145	
213	1/15/2015	LO USA0039236	LO USA0039239	HC	Goget email to Hamilton, Leung, Boulineau re TR Discussion on hydrolyzed bismaleimido with attached email chain	
214	7/23/2015	LO USA0067297	LO USA0067303	HC	Danielski, Boulineau, Zellner-Pauker, Badman Summar Memo to Goget, Provot, Poti, Legrand, Ascione, Bouez, Spenlehauer, cc; Bryant, Garnier re Formation of sulfur-nitrogen bonds with diamines and cystine under oxidative bleaching	
215	4/15/2015	LO USA0039453	LO USA0039456	HC	Hamilton email to Lam, Goget, Boulineau, Re cc: Chang, Guerra re Fox-RM and safety Action Plan	
216	1/5/2015	LO USA0065366	LO USA0065383	HC	Goget email to Ascione, Legrand cc: Rollet re TR Cystic acid level changes with attached presentation 04Nov14	

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217	5/1/2015	LO USA0063799	LO USA0063809	HC	Boulieau email to Shaw, Elsen, Hamilton, Garnier, Potin, Goget, Bryant cc: Provot, Danielski, Zellner, Badman, Isidor re Olaplex 1st generation analytical report with attached report	
218	6/1/2015	LO USA0035278	LO USA0035279	HC	Project Olivia - Data Room/Clean Room Permission List for Confidential Information	Incomplete document, 403, Hearsay, Lacks foundation/personal knowledge
220	10/18/2018	Pgs 1-18			Notice of Second Amended Subpoena Duces Tecu and Ad Testificandum to the University of California, Santa Barbara	
221	6/23/1958	UCSB00013	UCSB00019		General University Policy Regarding Academic Appointees	
222	7/1/2014	UCSB00020	UCSB00036		General University Policy Regarding Academic Appointees	
224	7/26/2015	UCSB000886	UCSB000889	HC	Hawker email to Pressly re Liqd 100 CP the examiner indicated that claim 9 is allowable and would search for some specific component too- please review and respond, with attached slides	
225	3/3/20013	UCSB000150	UCSB000166		Office of the President correspondence to Chancellors, Laboratory Directors, Vice President Gomes, Academic Counsel Chair Binion with attached Guidance for Faculty and other Academic Employees on Issues Related to Intellectual Property and Consulting	
229	11/18/2014	UCSB000425	UCSB000426	HC	Hawker email to Hawker re Working Agreement 12/6/2012 with attached email from Hawker to Christal	
230	11/14/2015	UCSB000704	UCSB000705	HC	Hawker email to Christal re Serendipity	
231	2/19/2015	UCSB000241	UCSB000250	Confidential	Nomination of Craig Hawker for Provisional Citation to Dreyfus Foundation	
232	00/00/0000	UCSB000251	UCSB000272	Confidential	UCSB Central Role of Chemistry - Hair Care	
233	00/00/0000	UCSB000342	UCSB000372	Confidential	UCSB Olaplex Hair Care System	
234	00/00/0000	UCSB000373	UCSB000384	Confidential	UCSB New Hair Care System	
236	12/23/2014	UCSB000412	UCSB000421	HC	Hawker email re Olaplex RIPT test results	
238	00/00/0000	UCSB000596	UCSB000621		Claim Summary - Method for Treating Hair	
240	00/00/0000	BTC PL 000681.001	BTC PL 000681.002		Behindthechair.com web article: This could (and will) Change Everything	

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253	9/11/2016	OLA 0000015667	OLA 0000015668	Confidential	Christal email to Mason Berkshire re new usage email blast, please review with attached Auer email and attachment.	
271	12/5/2018	Pgs 1-2			Defendants' Notice of Deposition of Vanessa Schneider	
272	12/6/2018	Pgs 1-3			www.linkedin biography of Vanessa Schneider, Social Media Manager and Senion Educator at Olaplex LLC	
273	5/6/2016	OLA 0000077099	OLA 0000077149	HC	Schneider email to Walkder re Employee Handbook and related documents with attached Employee NDA, Handbook, Background Check authorization	
274	5/9/2016	OLA 0000095691	OLA 0000095695	HC	Olaplex LLC Confidentiality, NDA and Assignment Agreement	
275	8/16/2015	OLA 0000023295	OLA 0000023298	Confidential	Kimberly email to Martine re Relaxer Piece with forwarded email exchange from McDonald email to Schnieder, Lagommarino, Kimberly Helmers re Relaxer Piece	
276	6/21/2015	OLA 0000016060	OLA 0000016062	Confidential	Christal email to McDonald re An important discussion I think it is important for you to see with forwarded email from Abams to Christal	
277	4/00/2016	OLA 0000077106	OLA 0000077148	HC	Olaplex LLC Employee Handbook	
280	12/12/2018	Pgs 1-3			Twitter biography of Dustin Stone	
281	12/12/2018	Pgs 1-3			LinkedIn biography of Dustin Stone	
282	10/3/2016	OLA 0000093591	OLA 0000093634	HC	Walden email to Stone cc: Martine re Welcome to Olaplex with attached Olaplex Employee Handbook 2016; Employee NDA; Background Chek authorization, Letter to Stone	
283	10/6/2015	OLA 0000071533	OLA 00000071533	HC	Iturraide email chain with Schwatz cc: Bell re Stylist comments about Charlotte	
284	12/16/2015	OLA 0000074726	OLA 0000074727	HC	Stone email to Martine with mailing address	
286	11/16/2016	OLA 0000024572	OLA 000002481	Confidential	Walden email Martine cc: Berkshire, Christal, Schwartz, Holz, Christal re Salon Outreach Update	
287	9/7/2016	Pgs 1-9			SalonGreek Forum re Olaplex new directions of use	
290	12/5/2018	Pgs 1-2			Defendants' Notice of Deposition of Jordan Alexander	
291	12/11/2018	Pgs 1-2			LinkedIn Biography of Jordan Alexander	
292	11/29/2017	OLA 0000067577	OLA 0000067580		Witness Statement of Jordan Alexander	
293	4/00/2016	OLA 0000077106	OLA 0000077147	HC	Olaplex LLC Employee Handbook	
294	4/28/2016	OLA 0000093494	OLA 0000093498	HC	Alexander email to Walden re Employee Handbook and related documents	

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295	7/15/2015	OLA 0000023103	OLA 00000023105	Confidential	Alexander email to Christal re Olaplex Contact Form with email chain and attached instagram comment	
296	00/00/0000	BTC PL 044860	BTC PL 044860		Olaplex Advertisement	
297	8/7/2015	OLA 0000017720	OLA 0000017720	Confidential	Alexander email to Pressly re Response	
299	5/16/2016	OLA 0000082661	OLA 0000082661	HC	Rebecca email exchange with Berkshire cc: Holz, Alexander, Ed, Russell, Darcy Christal re Outgoing emails to distributors regarding passwords	
300	9/21/2015	OLA 0000016618	OLA 0000016620	Confidential	Helmers email to Christal , Alexander re Reply from NuBond with attached email from Killinger to Dreamer	
301	6/15/2015	Pg 1 of 1			Jordanstylist instagram post with Olaplex image	
304	1/24/2015	OLA 0000015102	OLA 0000015102	Confidential	Santy email to Christal re First Test Olaplex	
306	7/17/2013	OLA 0000063667	OLA 00000063668	HC	Christal email exchange with Santy re Ligwd Perm NDA	
331	11/27/2018	Pgs 1-9			Subpoena - Tracey Cunningham	
332	2/17/2014	Pg 1 of 1			Tracey Cunningham Instagram post re Dubai	
333	2/23/2014	Pg 1 of 1			Tracey Cunningham Instagram post re Fozaza	
334	2/18/2014	DEFS0006149	DEF0006150	Confidential	Cunningham email exchange with Christal re Colorists in your salon	
335	2/21/2014	DEFS0006151 (OLA 0000109313)	DEFS0006151 (OLA 0000109313)	Confidential (HC)	Cunningham email exchange with Christal re your Olaplex post	
336	00/00/0000	OLA 0000024543	OLA 0000024543		Rector-Grable article "This could change everything"	
337	5/14/2014	DEFS0003898 (OLA0000107060)	DEFS0003899 (OLA 0000107061)	HC	Cunningham email exchange with Christal re Can you read now	
338	2/26/2014	Pg 1 of 1			Cunningham Instagram Post	
339	2/20/2014	Pg 1 of 1			Meche Salon web article-Tracey Cunningham on Christy Teigen's Hair	
340	2/21/2014	Pg 1 of 1			Cunningham Instagram Post - Christy Teigen	
341	2/18/2014	Pg 1 of 1			Cunningham Instagram Post - Meagan Camper	
342	3/13/2014	Pg 1 of 1			Cunningham Instagram Post - Meche Salon	
343	3/6/2014	OLA 0000057388	OLA 0000057388		Cunningham Instagram Post - Sienna Miller	
344	3/8/2014	OLA 0000067397	OLA 0000067397		Cunningham Instagram Post - Kate Beckinsale	
345	11/2/2018	LO USA0072107	LO USA0072119		Modern Salon- An Interview with Dean Christal of Olaplex	
346	2/18/2014	DEFS0003053 (OLA 00000106215)	DEFS0003053 (OLA 00000106215)	HC	Cunningham email to Christal re Colorists in your salon	
347	3/26/2014	Pg 1 of 1			Cunningham Instagram Post re 10 yr. old	
348	4/25/2014	Pg 1 of 1			Cunningham Instagram Post re new client	
349	5/5/2014	Pg 1 of 1			Cunningham Instagram Post re NY Met Ball	
350	5/6/2014	Pg 1 of 1			Cunningham Instagram Post re NY Met Ball	

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351	5/14/2018	Pg 1-91			Second Amended Complaint - Liqwd and Olaplex v. L'Oreal	
352	10/26/2018	Pg 1-31			Plaintiffs' Answering Brief in Opposition to Defendants' Motion for Redactions	
353	11/22/2016	OLA 0000077009	OLA 0000077039	HC	Walden email to Ziobro, Homes, Anders cc: Chu re Olaplex suing L'Oreal with attached press release, complaint	
354	11/21/2018	Pgs. 1-23			Defendants' Notice of Deposition of Plaintiffs per 30b6	
355	1/6/2016	OLA 0000024562	OLA00000024563	Confidential	Walden email chain with Christal re L'Oreal Suit	
356	1/4/2017	OLA 0000017609	OLA 0000017610	Confidential	McKenna email chain with Pressly re Checking In/NY Edition	
357	12/13/2018	Pg 1-5			Market Watch web article: L'Oreal sued by California startup over patent	
358	4/28/2016	OLA 000082785	OA 0000082840	HC	Walden email to Maslo, Lagommarino, Dave, Holz, Schwartz, Alexander, Helmers, Martine, Berkshire, Schnieder, Santy, Indra cc: Darcy Christal re Employee Handbook and related documents with attachments	
359	12/3/2009	Pgs 1-3			16 CFR Section 255.5 - Disclosure of Material Connections	
360	3/5/2015	DEFS0003747 (OLA 0000106909)	DEFS0003754 (OLA 0000106916)	Confidential/HC	Holz email to Christal cc: Darcy Christal re Hair Forums - Corrected with attached excel sheets	
362	8/9/2016	OLA 0000098285	OLA 0000098286	HC	Walden email exchange with Darcy Christal re Advocate Guide	
363	3/7/2016	OLA 0000097873	OLA 0000097874	HC	Christal email exchange with Walden re Two Social Media Posts	
364	12/31/2015	OLA 0000075795	OLA 0000075795	HC	Olaplex Income Statement from April 2015 to December 2015	
364A	12/31/2015	Pgs 1-6		HC	Olaplex Income Statement from April 2015 to December 2015	Hearsay, Lacks foundation / personal knowledge
365	10/24/2016	OLA 0000097503	OLA 0000097503	HC	Walden email to Christal re Sales history with attached email from Schwartz	
366	10/00/2018	OLA 00000075799	OLA 00000075799	HC	April 2015-October 2018 Revenue/Gross Profit Chart	
367		OLA 0000064224	OLA 0000064224	HC	Schwartz email to Lim with attached email from Schwartz to Fulco, Boyd, Harvey cc: Spinks, Frankln re Earthly Body/Colorplex	

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
368	5/4/2016	OLA 0000019657	OLA 0000019659	Confidential	Iturralde email chain to Heines, Schwartz Gaspard, Spinks, Franklin re Nashville Show with attached emails from Schwartz to Franklin Garspard, Heines; Sudiovenica email to Schwartz	
369	8/7/2015	OLA 0000015991	OLA 0000016003	Confidential	Christal email chain with Povalej for Sudhoff re Olaplex/Sexy Hair Patent Infringement	
400	3/27/2017	Pgs 1-18			Expert Report of Karl Kronenberger on Behalf of Plaintiff BehindTheChair.com	
401	11/9/2018	Pgs 1-21			Plaintiffs' Amended Notice of Deposition and Subpoena duces tecum and ad testicandum to Saloncentric	
402	11/5/2018	OLA 0000075802	OLA 0000075807	HC	Doerrler email to Tiffany cc: Orzel re Olapex Declaraton with attached spreadsheets	Hearsay, Authentication, Lacks foundation/personal knowledge
403	12/31/2016	SC0001419	SC0001429	HC	Saloncentric 2016 Product Spreadsheet	
404	5/25/2017	SC0000011	SC0000012	HC	Orzel email to Schwartz cc: Christal, Fontaine, Meggo, bobbitt, Patel, Stewart re Olaplex in SC stores	Hearsay, Incomplete document
405	12/6/2016	OLA 0000024738	OLA 0000024740	Confidential	Christal email to Pressly re Redken Letter/Olaplex with forwarded email from Christal to Fontaine cc: Sharnsky with Redken memo from Doud	Hearsay, Lacks foundation/personal knowledge, Authentication
406	8/5/2014	OLA 00000080755	OLA 00000080755	HC	Sharnsky email exchange with Christal, Fontaine re Call today	Hearsay, Lacks foundation/personal knowledge
407	8/8/2014	OLA 0000015419	OLA 0000015419	Confidential	Christal email to Sharnsky re Olaplex	Hearsay, Lacks foundation/personal knowledge
408	8/27/2014	LO USA0038996	LO USA0039007	HC	Fontaine email to Goget with attached Olaplex pdfs and email chain between Sharsky, Stewart, Orzel re Olaplex MDS - urgent	
409	2/13/2016	LO USA0073573	LO USA0073574	HC	Kunetz email to Bethelmy-Rada cc: Azancot, Verhulst-Santos, Roos, Schiraldi, Parenty, Fontaine re Matrix Bonder Update	Hearsay, Lacks foundation/personal knowledge
410	3/16/2016	SC0000234	SC0000234	HC	Jobanputra email Stewart cc: Reddy, Orzel, Beard re Olaplex Sales with attached email from Jobanpurtra to Stewart cc: Reddy, Orzel	Hearsay, Lacks foundation/personal knowledge
411	8/16/2016	LO USA0073581	LO USA0073582	HC	Schiraldi email exchange with Fonataine re Bonder Survey Results	

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412	8/26/2016	LO USA0073527	LO USA 0073528	HC	Lawton email to Wohlwend, Meggo, Bobitt cc: Marino, Cole, Roby re Redken 2016 Jingle Bell Doorbuster SKUs	Hearsay
413	9/27/2016	LO USA007369	LO USA0073650	HC	Rousseau email to Lawton with attached Lawton email to Meggo, Lopez, Palladino cc: Cole, Roby, Sproul, Crank, Mchan, Indermuhle, Seidel, Mahar, Marino, Parenty re PH Bonder Updates - Do not forward or print for verbal communication only	Hearsay, Lacks foundation/personal knowledge
414	11/7/2016	SC0000236	SC0000236	HC	Patel email to Sharnksy cc: Orzel re Olaplex	Hearsay, Lacks foundation/personal knowledge
415	8/25/2016	OLA 0000064000	OLA 0000064001	HC	Orzel email exchange with Christal cc: Schwartz, Fontaine, Gelorme re New item launch planning	Hearsay, Lacks foundation/personal knowledge
416	9/6/2016	OLA 0000064068	OLA 00000064072	HC	Schwartz email to Bobbitt, Meggo cc: Orzel re our new shelf with attached photos	
417	9/21/2016	OLA 0000077659	OLA 00000077662; 77614-77623; 77681-77699; 77726-77781	HC	Willgus email to Christal re Augusta, GA Guru with attached photos	Hearsay, Improper compilation of separate documents, Lacks foundation/personal knowledge, Authentication
418	10/4/2016	OLA 0000077710	OLA 0000077710	HC	Fontaine email to Christal cc: Funk re LA hotel	Hearsay, Lacks foundation/personal knowledge
419	10/7/2016	LO USA0073522	LO USA0073535	HC	Cavett email to Zheng, Allan, Shum cc; Kashap, Wachtel, Schienvar re Redken PH Bonder Single Use Kit with attached email from Roby to Exsparza, Moran, Baer, Bittencourt, Chung, Crank, Gallotti, Heath, Howe Indermuhle, Johnston, Kashyap, Lavsi, Lawton, ore, Mchan, Scott, Seidel, Sproul, Stern , Vadagriff, Wefer, Cavett, Gonzalez, Walloga, Lopez, Nunziato, McNeice, Rousseau, Young, Yau, Meggo, Bobitt, Stults, Rolston, Tucker, Okawa, Muller cc: Marino, Cole, Mahar with attached Redken PH Bonder Leverage Activity Chart	Hearsay, Lacks foundation/personal knowledge
420	1/20/2017	LO USA0073531	LO USA0073533	HC	Marino email to Palladino re: Saloncentric plans: pH Bonder and City Beats with attached detailed recap for pHBonder and City Beats	Hearsay, Lacks foundation/personal knowledge, Incomplete document

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
421	8/22/1016	SC0000115	SC0000117	HC	Schwartz email to Orzel, Fontaine, Meggo, Lopez, Palladino, Newton-Smith, Sharnsky, Christal, David cc: Patel, Beard, Reed, Stewart, Jeffires, Bryant re Olaplex Promotoion with attached email from Orzel with Olaplex letter to Salons and Stylist Partners	Hearsay
422	2/4/2017	SC0000265	SC0000266	HC	Schwartz email to Bobitt cc: Orzel re Spreading Misinformation with attached Facebook post	Hearsay, Lacks foundation/personal knowledge
423	00/00/0000	SC0000981	SC00001010	HC	Olaplex Performance Chart	
423A	11/2/2018	Pgs 1-21			Plaintiffs' Amended Third Notice of Deposition and to L'Oreal USA Products, Inc., L'Oreal USA S/D Inc. and Redken 5th Avnued NYC pursuant to 30b6	
424	7/31/2016	SC0000221	SC0000232	HC	Spreadsheet - Partner Brands Net Sold Dec 2014-Jul 2016	Hearsay, Lacks foundation/personal knowledge
424A	7/6/2017	Pgs 1-2			Youtube: How to Use Redken pH Bonder featuring Ellebangs	Hearsay, Lacks foundation/personal knowledge, Incomplete document, Improper compilation of separate documents, Authentication, Best Evidence Rule
425	10/31/2016	SC0001413	SC0001418	HC	Spreadsheet - Partner Brands Units Sold Jan 2016-Oct 2016	Hearsay, Lacks foundation/personal knowledge
425A	5/17/2018	Pg 1 of 1			Youtube: How to Fix Damaged Hair - Product & Tips	Hearsay, Lacks foundation/personal knowledge, Incomplete document, Improper compilation of separate documents, Authentication, Best Evidence Rule
426	7/7/2015	SC0000142	SC0000162	HC	Spreadsheet - Olaplex Analysis- Purchases 7/8/2014-7/7/2015	Hearsay, Lacks foundation/personal knowledge

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
426A	12/14/2018	Pg 1 of 1			Flash drive contents	Hearsay, Lacks foundation/personal knowledge, Incomplete document, Improper compilation of separate documents, Authentication
427	00/00/0000	OLA 0000076375	OLA 0000076375		Daltan Robertson text to Olaplex Users	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document
427A	12/26/2014	SC0000095	SC0000096	HC	Spreadsheet - Net Sales	Hearsay, Lacks foundation/personal knowledge
428	5/13/2018	LO USA0040712	LO USA0040722	HC	Goget email to Wolf, Boulineau, Pucio, Crim re pH Bonder assets for division video with attached RDK presentation	Hearsay, Lacks foundation/personal knowledge
429	12/13/2018	Pgs 1-14			www.saloncentric.com "Haircolor -Category- Lightener"	Hearsay, Authentication
430	12/7/2018	Pgs 1-14		HC	Defendants' Amended Objections and Responses to Plaintiffs' Sixth Set of Interrogatories, Interrogatory No. 24	Incomplete document, Hearsay
431	7/1/2018	LO USA0026528	LO USA0026670	HC	Dolden email to Poidevin, Balleret, Deher, Terrade, Beauche-Terrade, Gerault, Rigaud, Laloy, Jen, Levon Dean, Duvert, Boschet, Evrard, Theret, De La Sauzay, Boussaa, Roze, Duvert cc: Milosh, Evrard, Schmitt re presentation for Olivia meeting with attached Project Olivia Invit Committee, Olivia pre-due diligence, Project Olivia Discussion materials	
432	8/15/2016	LO USA0040083	LO USA0040588	HC	Kunetz email to Marino, Dautzenberg, Teixeira, Schiraldi Morris, Ingraham, Fourteau re Bond protection launch - confidential with attached Bond Launch 18 May Final Codir powerpoint	Hearsay
433	10/20/2015	LO USA0040954	LO USA0040956	HC	McMahon email exchange with Kremer, Charon, Duez, Konakova, Lanotte, Philbert, Wolf re Calendar update post 3YP Meeting	Hearsay, Lacks foundation/personal knowledge
434	4/13/2016	LO USA0039995	LO USA 0039997	HC	Wolf email exchange with Marino re Bond protectors with attached email from Schiraldi to Fontaine, Marino cc: Lopez	Hearsay, 403, Lacks foundation/personal knowledge

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
435	4/22/2016	LO USA0073568	LO USA0073570	HC	Cheow, Roze, Gulin-Merle, Parenty, Fontaine, Bethelmy-Rada email to Bethelmy, Rada, Schiraldi, Wolf, Marino, Costanza, Sampson, Morris, Mahar cc: Densk, Seibert, Verbitsky Ostrovsky re Kline article on Professional Outlook	Hearsay
436	5/9/2016	LO USA0040038	LO USA0040075	HC	Marino email to Kunetz re Bond protectors with attached pH Bonder Dossier - Marketing slides	
437	9/22/2016	LO USA0039136	LO USA0039151	HC	Goget email to Ascione, Habif, Kanji, Legrand, Pataut, Potin, DeConnick, Sellier, Crim, Boulineau, Puco DeGeorge re pH Bonder Launch - Status to date with attached Bonding 9 21 16 Final	Hearsay, Lacks foundation/personal knowledge
438	7/18/2016	OLA 0000094192	OLA 0000094193	HC	Walden email exchange with Sarakatsannis re Letter from Olaplex with attached email from Walden to Roze cc: Christal	Hearsay, Lacks foundation/personal knowledge
439	4/13/2016	LO USA0040595	LO USA0040598	HC	Marino email exchange with Schiraldi, Fontaine, Kunetz, Morris, Parenty re Bond protectors	Hearsay
441	12/13/2018	Pgs 1-11			www.saloncentric.com web pages - Haircolor - category - Lightener - Applied filter - Matrix	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document
442	12/13/2018	Pgs. 1-13			www.saloncentric.com web pages - Haircolor - category - Lightener - Applied filter - L'Oreal Professional	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document
443	11/10/2016	LO USA0008529	LO USA0008529	HC	Vandall email to Bethelmy-Rada, Schiraldi, Gebhart, Glenn re Bond Ultim8 Sales Presenter	Hearsay, Incomplete document
444	11/15/2016	LO USA0041030	LO USA0041039	HC	Glenn remail to Gebhard re FYI Paul working on SMM deck through tonight with attached Novx3MG powerpoint	Hearsay, Lacks foundation/personal knowledge
445	2/7/2017	LO USA0008496	LO USA0008497	HC	Schiraldi email exchange with Roos re Matrix Q1 Boost Plan Review - Revised	Hearsay, Incomplete document

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
446	1/11/2017	LO USA0040076	LO USA0040082	HC	Berry email to Shaikh, Kim, Mate-Dayrit, Grunberg, Howe, O'Keefe, Cole, Gebhart, Culver, Mahar, Tucker, Kunetz, Rose, Finnerty, Chung, Strong, Flecker Parenty Schirdaldi, Nunziato, Marino, Levitt cc: Alevit, Duffner, Ryan, Davis, Vandagriff, Banks, Lopez, Fontaine re FY 2016: Management Division Reports with attached email from Berry with 16-9123116 PPD Brands Dashboards powerpoint	Hearsay, Lacks foundation/personal knowledge
447	8/14/2016	Pg 1 of 1			Youtube - How does Smartbond technology work ? By L'Oreal Professional	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document, Best Evidence Rule
448	12/21/2018	Flashdrive			Flashdrive contents	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document
460	11/21/2018	Pgs 1-6			Plaintiffs' Notice of Subpoena to David M. Hernand	MIL, 403
461	3/20/2017	Pgs 1-2			Declaration of David M. Hernand	MIL, 403
462	5/18/2015	OLA 0000096270	OLA 00000096275	HC	Hernand email to Gringauz cc: Buehler, Dolden re L'O Confidentiality Agreement with attachment	MIL, Hearsay, 403, Incomplete document
463	5/15/2015	OLA 00000096276	OLA 00000096281		Confidentiality Agreement signed by Dolden and accepted by Christal	MIL
464	5/12/2015	LO USA 0028259	LO USA0028259	HC	Dolden email to Sharnsky re Project Olivia - Confidential	
465	5/14/2015	OLA 0000095912	OLA 0000095912	HC	Buehler email exchange with Gringauz, Dolden, Hernand re L'O Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
466	5/00/2015	OLA 0000095913	OLA 0000095918	HC	Draft Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
467	5/00/2015	OLA 0000095919	OLA 0000095925	HC	Redline Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
468	5/15/2018	OLA 0000096526	OLA 0000096527	HC	Gringauz email exchange with Buehler cc Dolden, Hernand re L'O Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
469	5/00/2015	OLA 0000096528	OLA 0000096534	HC	Redline Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
470	5/15/2015	OLA 0000096003	OLA 0000096005	HC	Gringauz email exchange with Hernand cc: Buehler, Dolden re L'O Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
470A	12/17/018	Pgs 1-2			LinkedIn Bio - Paul Sharnsky	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
471	5/00/2015	OLA 0000096006	OLA 0000096012	HC	Redline Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
471A	9/15/2014	OLA 0000080520	OLA 000000	HC	Funk email to Fountaine, Christal cc: Sharnsky re Agenda - Olaplex call 2014 09 14 with attached agenda	
472	5/19/2015	OLA 0000095926	OLA 0000095939	HC	Buehler email exchange with Hernand, Gringauz, Dolden, Hernand re L'O Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
472A	12/17/2019	Pg 1 of 1			www.saloncentric.com webpage - Who We Are	
473	5/15/2015	OLA 0000095940	OLA 000094945	HC	Draft Confidentiality Agreement	MIL, Hearsay, 403, Incomplete document
473A	11/4/2014	Pg 1 of 1			SalonCentric post: Olaplex - Pre order today	Hearsay, Authentication, Lacks foundation/personal knowledge, Incomplete document
474	10/25/2016	OLA 0000089877	OLA 00000898	HC	Schwartz email to Orzel re SC Contract with attached DISTR K.pdf	
475	4/6/2015	LO USA0035575	LO USA0035576	HC	Sharnsky email exchange with Dolden re Project Olivia	
476	4/15/2015	LO USA0007916	LO USA0007917	HC	Dolden email to O'Rourke re Olivia next steps with forwarded email from Dolden	
477	4/19/2015	LO USA0028564	LO USA0028564	HC	Dolden email exchange with Sharnsky cc: Fontaine re Project Olivia	Hearsay
478	6/3/2015	LO USA0035555	LO USA0035557	HC	Sharnsky email exchange with Funk, Dolden cc: O'Rourke re Project Olivia	Hearsay
479	6/22/2015	LO USA0029482	LO USA0029532	HC	Sharnsky email to Dolden re Olaplex with attached Olaplex Bleach Comparison spreadsheet and emails from Nunziato to Sharnsky cc: Cau; from Sharnsky to Lopez	
500	12/7/2018	Pgs 1-3			Plaintiffs' Amended Notice of Deposition of Kimberly Dreher	
501	11/2/2018	Pgs 1-13		HC	Plaintiffs' Amended Third Notice of Deposition and to L'Oreal USA Products, Inc., L'Oreal USA S/D Inc. and Redken 5th Avnued NYC pursuant to 30b6	
502	8/25/2016	Pgs 1-9			Exhibit 2006 - August 25, 2016 Third Party Submission (Singleton and DE '969)	

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503	8/22/2014	LO USA0064698	LO USA0064700	HC	Hamilton email to Goget, Leung, DeGeorge, Singer, Elsen, Shaw, Sood, Zellner, Badman, Danielski, Isidor, Bryant, Boulineau, Nguyen, Salese, Kluck Applebaum, Norwood, Soliman re Olaplex Update Meeting Recap	
504	9/16/2014	LO USA0065184	LO USA0065187	HC	Hamilton email to Goget re Olaplex Calculations with attached email chain re Olaplex Meeting recap to a and handwritten notes	
505	9/30/2016	LO USA 0039166	LO USA0039167; 39168-39187 (public)	HC	DeGeorge email to Goget, Habif, Chin, Potin, Hamilton, Velkov, Kanji, Hobby, Boulineau, Applebaum, Norwood re Weekly Bonding Project Update with attached email chain and Pressly Patent 9,144 537 B1	Hearsay, Authentication, Lacks foundation / personal knowledge
506	4/10/2015	LO USA0039285	LO USA0039289	HC	Tom Re email to Hamilton, Lam, Goget, Boulineau cc: Chang re Fox - RM and safety Action Plan with attched email chain	
507	00/00/0000	LO USA0039907	LO USA0039907	HC	Smartbond Booster Chart	
508	00/00/0000	LO USA0039957	LO USA0039982	HC	Bonding Protection Routine for Stronger Reinforced Cared for Hair	
509	00/00/0000	LO USA0064029	LO USA0064030	HC	Bonding Test with Bleach Chart	
510	10/6/2014	LO USA0064108	LO USA0064122	HC	Effect of pH, Olaplex No1, "Homemade" Olaplex No1 on Cystic Acide Levels After Bleaching - Fabien Boulineau, Dariusz Danielski	Hearsay, Authentication, Lacks foundation / personal knowledge
511	8/18/2014	LO USA0064683	LO USA0064685	HC	Hamilton email to Elsen cc: Goget re Olaplex data forTCEP with attached email chain between Elsen, Badman, Kluck, Singer, DeGeorge, Leung, Shaw, Sood, Nguyen cc: Boulineau, Zellner, Danielski, Isidor, Bryant	
512	1/6/2016	LO USA0065396	LO USA0065404	HC	Tri Princeton Contract Research Services Report to L'Oreal on Repeated Grooming	Hearsay, Authentication, Lacks foundation / personal knowledge
513	7/20/2015	LO USA0067470	LO USA0067497	HC	L'Oreal Bonding Additive w/Treatment Workshop Program to Chin, Hamilton cc: Applebaum, Ascione, Boulineau Collaudin, de la Bandera, Goget, Habif, Iancau, Kanji, Lebarbanchon, Legrand, Mecce, Muller, Pataut, Potin, Stroeve, Troch, Velkov. Author: de la Banera, Gauer	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
514	8/27/2014	LO USA008203	LO USA00203	HC	Hamilton email to Leung, Goget, DeGeorge, Singer, Elsen, Shaw, Sood, Nguyen Boulineau, Zellner, Danielski, Isidor, Bryant, Applebaum, David, Soliman, Norwood, Gonzalez-Toro re Olaplex Update Meeting Recap	
515	4/22/2019	LO USA0074958	LO USA0074980	HC	L'Oreal Hair Fiber Transformation - Evaluation of Bis-Maleimides	
516	12/20/2018	Pgs 1-107		HC	Defendants' Objections and Responses to Plaintiffs' Fifth Set of Interrogatories (Nos. 13-20)	
517	4/21/2015	LO USA0021275	LO USA0021458	HC	Hamilton 2 Laboratory Notebook No L11455 - L'Oreal USA Restricted	
600	12/12/2018	Pgs 1-2			Defendants' Amended Notice of Deposition of Rivka Monheit	
601	12/12/2018	Pgs 1-2			Defendants' Amended Notice of Deposition of Pabst Patent Group LLP	
602	11/21/2018	Pgs 1-23			Defendants' Notice of Deposition of Plaintiffs per 30b6	
603	11/22/2016	Pgs 1-20			US Patent 9,498,419 B2 - Pressly Patent	
604	6/7/2017	Pgs 1-20			US Patent 9,668,954 B2 - Pressly Patent	
605	2/25/2014	PABST002507	PABST002553		Demande de Brevet D'Invention No. 3 007 642 "Composition d'claircissement capillaire comportant deux agents basiques, un acide et un agent oxydant"	
606	00/00/0000	PABST000408	PABST000409	HC	Kim Korean Patent App No. GCI16HK3570	
607	8/28/2014	Pgs 1-4			Pressly Assignment to Liqwd	
608	2/5/2015	PABST00003	PABST00024	HC	USPTO Pressly Patent Application Publication No. US 2015/0034117 A1	
610	5/6/2014	Pg 1 of 1			Cunningham Twitter page	
614	3/14/2014	OLA 0000109315	OLA 0000109315	Confidential	Christal email to Cunningham re Olaplex Agreement	
615	5/00/2014	LO USA0010391	LO USA0010392		Beauty Launchpad article: The Power of One	
616	4/9/2014	OLA 0000015593	OLA 0000015593	Confidential	Christal email to Cunningham re Read asap for Launchpad with attached email from Amy Dodds	
617	3/23/2014	DEFS0004694 OLA 0000107856	DEFS0004694 OLA 0000107856	Confidential (HC)	Christal email to Cunningham re Letter of Intent	
618	2/17/2016	DEFS0000013016 OLA 0000110731	DEFS0000013016 OLA 0000110731	Confidential (HC)	Christal email to Cunningham re Olaplex/Liqwd deal	
621	12/5/2018	Pgs 1-2			Defendants' Notice of Deposition of Tyler Krebs	
622	12/17/2018	Pgs 1-3			Tyler Krebs. Olaplex - LinkedIn Biography	
623	9/19/2018	OLA 0000098495	OLA 0000098496	HC	Jeff email exchange with Spinks, Murphy re EXT #4 and #5	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
735	2/16/2015	OLA 0000022020	OLA 0000022020	Confidential	Schwartz email to Palladino, Massie re Olaplex Knock-off	
739	11/21/2018	Pgs 1-23			Defendants' Notice of Deposition of Plaintiffs per 30b6	
740	00/00/0000	Pgs 1-3			Thermo Scientific Instructions - BM(PEG)x and MB(PEG)3	
741	6/00/2014	LO USA0008192	LO USA0008196	HC	Material Safety Data Sheet Finished Product - Olaplex Bond Multiplier No. 1	
742	8/10/2012	Pgs 1-7			Langmuir article- Improved Methodology for the Preparation of Water-Soluble Maleimide-Functionalized Small Gold Nanoparticles, Authors Gobbo and Workentin	
743	11/12/2013	LO USA0010810	LO USA0010868		WIPO - Pressly/Hawker Inventors, Title: Hair Color Smoothing Compositions and Methods; International App No. PCT/US2014/049388, Certified date 8/29/2014, filing date 11/12/2013	
744	7/15/2014	OLA 0000080790	OLA 0000080790	HC	Pressly email to Kingle, Goff cc: Christal re Alternate Olaplex recipe	
745	12/00/214	LO USA0010745	LO USA0010749		Material Safety Data Sheet Finished Product - Olaplex Bond Multiplier No. 1	
746	5/15/2015	LO USA0068275	LO USA0068284		USPTO Declaration of Pressly ISO Patent Application for Keratin Treatment Formulations and Methods	
747	11/22/2016	Pgs 1-16			Pressly US Patent No. 9,3998,419 B2	
748	8/27/2015	OLA 000015922	OLA 000015922	Confidential	Christal email to Pressley re Henkel Bonding v. Olaplex	
749	4/00/2015	Pgs 1-4			Material Safety Data Sheet - RO Topia Fractal Entergizer - DS Laboratories	
800	5/14/2014	OLA 0000100184	OLA 0000100186	HC	Christal email to Rector-Gable re My Letter	
801	12/2/217	OLA 0000067603	OLA 0000067620	HC	Confidential Binding Settlement Term Sheet between Behind the Chair and Christal, Olaplex, Liqwd Inc.	
802	7/10/2014	Pgs 1-2			Instagram Post - Olaplex re Santy	
803	10/11/2014	OLA 0000095575	OLA 0000095576	HC	Christal email exchange with Berglass re Exchange with Lanza/Olaplex	
804	7/22/2015	OLA 0000097251	OLA 0000097251	HC	Christal email to Sharnsky re Big Sexy Patent Infringement with forwarded email from Christal to Fontaine cc : Sharnsky	
805	12/20/2017	Pgs 1-12			Witness Statement of Dean V. Christal in the High Court of Justice - Business and Property Courts of England	

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
806	4/20/2015	OLA 0000092270	OLA 0000092272	HC	Schwartz email exchange with Spinks cc: Christal re resending original data sent 4/9/2015 with email from Franklin to Christal cc: Neuts	
807	10/7/2015	OLA 0000015867	OLA 0000015869	Confidential	Christal email to Russell, Schwartz, Mesry, Jordan, Taylor, Connaughan re Letter to post starting tomorrow early with attached letter	
808	2/21/2014	Pgs 1-35			Instagram Posts - Tracey Cunningham	
809	8/13/2015	OLA 000001443434	OLA 000001443437	HC	Reiss email exchange with Christal re Olaplex and Modern Salon with attached email from Reiss to Connaughan, Russell cc: McConnell	
810	9/18/2015	OLA 000024064	OLA 000024067	Confidential	Christal email exchange with Reiss re Olaplex story picked up by Google Alert	
812	1/27/2017	OLA 000067413	OLA 00067416		Declaration of Christal ISO Defendants' Motion for Summary Judgment	
813	6/11/2015	Pgs 1-3			Dolden email exchange with Christal re Project Olivia with forwarded emails from Indra and Angela to Darcy	
850	12/18/2018	Pgs 1-10			USDC Subpoena to Testify in a Civil Action to Evanice Holtz	
851	12/20/2018	Pgs 1-3			LinkedIn Biography - Evanice Holtz	
865	4/00/2016	OLA 0000063122	OLA 0000063164	HC	Olaplex Employee Handbook	
880	00/00/0000	Pgs 1-7			Tracey Cunningham Instagram printout	Hearsay, Lacks foundation / personal knowledge, Authentication
883	11/27/2018	Pgs 1-9			Subpoena to Appear at Deposition and Produce Documents to Vicki Laris	
884	12/4/2017	OLA 0000067601	OLA 0000067602		Witness Statement of Vicki Laris in the High Court of Justice - Business and Property Courts of England	
885	3/6/2014	DEFS0000017143	DEFS0000017143	Confidential	Laris email to Info@olaplex.com re Interested in product	
886	3/7/2014	DEFS0000019102 OLA 0000116817	DEFS0000019103 OLA 0000116817	Confidential Highly Confidential	Laris email exchange with Dean, Info@olaplex.com re Olaplex	
887	3/21/2014	DEFS0000016992 OLA 0000114707	DEFS0000016994 OLA 0000114709	Confidential Highly Confidential	Laris email exchange with Dean, Info@olaplex.com re Olaplex	
888	4/5/2014	DEFS0000016589 OLA 0000114304	DEFS0000016591 OLA 0000114306	Confidential Highly Confidential	Laris email exchange with Dean, Info@olaplex.com re Olaplex	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
889	5/9/2014	DEFS0000019264 OLA 0000116979	DEFS0000019266 OLA 0000116981	Confidential Highly Confidential	Laris email exchange with Dean, Info@olaplex.com re Olaplex	
890	6/2/2014	DEFS0000019197 OLA 0000116912	DEFS0000019199 OLA 0000116914	Confidential Highly Confidential	Laris email exchange with Dean, Info@olaplex.com re Olaplex	
891	6/13/2014	DEFS0000013362 OLA 0000111077	DEFS0000013365 OLA 0000111080	Confidential Highly Confidential	Laris email exchange with Dean, Info@olaplex.com re Olaplex	
892	10/30/2014	OLA 0000015191	OLA 0000015191	Confidential	Laris email to Christal re Salon West Tampa	
900	1/29/2019	Pgs 1-58		HC	Expert Report of Douglas S. Schoon, M.S.	
901	2/2/2012	LO USA0008849	LO USA0008874		Pratt US Patent App. No. 2012/0024309	
902	8/4/2015	LO USA0009520	LO USA0009542		US Patent No. 9,095,518 B2 (Pressly)	
903	2/26/2019	Pgs 1-5			www.schoonscientific.com website article "Innovation Awards, 1st Place: The Most Innovative Idea for 2015"	Lacks foundation/personal knowledge
904	2/27/2015	Pgs 1-4			Facebook Post - Olaplex - We-re absolutely thrilled to receive 1st Place"	Hearsay, Lacks foundation/personal knowledge, Authentication
905	9/16/2014	LO USA0065164	LO USA0065167	HC	Hamilton email to Goget re Olaplex Update Meeting Recap 12 Sept 2014 with attached calculations	Authentication, Lacks foundation/personal knowledge
906	7/24/2014- 4/17/2015	LO USA0021096	LO USA0021274	HC	Hamilton, Loreal Restricted Notebook - L11363	Authentication, Lacks foundation/personal knowledge
907	5/26/2015	LO USA0039163	LO USA0039165	HC	LeHaye email to Legrand, Goget, Potin, Lee, De La Bandera cc: Boulineau re Olaplex experiement - Need your input asap with attached Design of Experiments Diamine MA 2015. excel	Authentication, Lacks foundation/personal knowledge
908	7/24/2014- 6/09/2014	LO USA0022328	LO USA0022419	HC	Boulineau, Loreal Restricted Notebook - L11145	Authentication, Lacks foundation/personal knowledge
909	6/27/2018	OLA 0000065453	OLA 0000065504	HC	Final Written Decision in USPTAB - L'Oreal USA, Inc. v Liqwd, Inc.	
910	11/21/2018	Pgs 1-10			Subpoena to Appear at Deposition and Produce Documents to Esther Vasquez	
911	4/15/2014	Pgs 1-2			Esther Vasquez Instagram printout re Olaplex	
911A	00/00/0000	Pgs 1-4			James Pooley LinkedIn Biography	

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
912A	00/00/0000	Pg 1 of 1			Web page printout from Pooley.com: James Pooley PLC Services	
913	1/30/2019	Pgs 1-15			Declaration of Esther Vasquez re Subpoena	
913A	6/30/2015	Pgs. 1-23			Chapter 5, "Secrets: Managing Information Assets in the Age of Cyberespionage", by James Pooley	Hearsay, Authentication, Lacks foundation/personal knowledge
914	6/21/2014	Pgs 1-2			Esther Vasquez instagram printout re Olaplex	
914A	00/00/2018	Pgs. 1-11			Create.org Whitepaper: "Protecting Trade Secrets From Cyber and Other Threats"	Hearsay, Authentication, Lacks foundation/personal knowledge
915	6/23/2014	Pgs 1-2			Esther Vasquez instagram printout re hair color	
916	4/13/2018	Pg 1 of 1			Witness Statement of Esther Vasquez	
916A	3/8/2018	OLA 0000068563	OLA 0000067574		Witness Statement of Dean V. Christal in the High Court of Justice - Business and Property Courts of England	Hearsay
919	11/28/2018	Pgs. 1-6			Chapter from James Pooley treatise, "Trade Secrets" 41st Edition	Authentication, Lacks foundation/personal knowledge
920	2/12/2019	Pgs. 1-186			Thomas Shultz, PH.D Expert Report	Hearsay, Lacks foundation / personal knowledge
921	5/16/2014	OLA 0000094755	OLA 0000094804	HC	Utility application for United States Letters Patent, by Eric D. Pressly and Craig J. Hawker, for Keratin Treatment Formulations and Methods	Hearsay, Lacks foundation / personal knowledge, Authentication, Incomplete Document
923	2/28/2019	Pgs. 1-52			Report and Recommendation signed by Magistrate Judge Sherry R. Fallon	Relevance, 403, Hearsay, Lacks foundation / personal knowledge
924	6/28/2015	LO USA0002413	LO USA0002430	HC	Project Olivia - Investment Committee presentation	
925	7/24/2014	LO USA0021096	LO USA0021274	HC	L'Oreal USA Laboratory Notebook- "Hamilton 1"	Hearsay, Lacks foundation / personal knowledge, Authentication
926	8/27/2017	LO USA0008203	LO USA0008203	HC	Hamilton email to Leung, Goget, DeGeorge, Singer, Elsen, Shaw, Sood, Nguyen Boulineau, Zellner, Danielski, Isidor, Bryant, Applebaum, David, Soliman, Norwood, Gonzalez-Toro re Olaplex Update Meeting Recap	Hearsay, Lacks foundation / personal knowledge, Authentication

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
926	8/27/2017	LO USA0008203	LO USA0008203	HC	Hamilton email to Leung, Goget, DeGeorge, Singer, Elsen, Shaw, Sood, Nguyen Boulineau, Zellner, Danielski, Isidor, Bryant, Applebaum, David, Soliman, Norwood, Gonzalez-Toro re Olaplex Update Meeting Recap	
927	2/21/2019	Pgs. 1			Maritime Beauty web page	Hearsay, Lacks foundation / personal knowledge, Authentication
928	2/21/2019	Pgs. 1			Olaplex web page printout- Material Safety Data Sheet Finished Product	Hearsay, Lacks foundation / personal knowledge, Authentication
929	8/27/2014	LO USA0038996	LO USA0039007		Fontaine email to Goget with attached Olaplex pdfs and email chain between Sharsky, Stewart, Orzel re Olaplex MDS - urgent	Hearsay, Lacks foundation / personal knowledge, Authentication
930	6/27/2018	OLA 0000065453	OLA 0000065482	HC	Final Written Decision in USPTAB - L'Oreal USA, Inc. v Liqwd, Inc.	Incomplete Document, Lacks foundation / personal knowledge, Best Evidence Rule, Authentication
930A	11/21/2018	Pgs. 1-9			Subpoena- Alan Gold	
931	2/27/2019	Pgs. 1-13			Liqwd and Olaplex v. L'Oreal Memorandum Order	
932	1/30/2019	Pgs. 1-2			Gold Declaration	
933	3/2/2019	Pgs. 1			Alan Gold Instagram Post	
950	1/29/2019	Pgs. 1-77		HC	Domnique M. Hanssens Expert Report	Hearsay, Lacks foundation / personal knowledge
951	6/6/2016	Pgs. 1-32			Dominque M. Hanssens Declaration In Support of Plaintiff's Reply to Motion for Preliminary Injunction in L'Oreal v. Spatz Laboratories	Hearsay, Lacks foundation / personal knowledge, Relevance
952	2/12/2019	Pgs. 1-92		HC	Domnique M. Hanssens Rebuttal Expert Report	Hearsay, Lacks foundation / personal knowledge
953	6/12/1985	Pgs. 1-9			Patricia Goering article, "Effects of Product Trial on Consumer Expectations, Demand, and Prices"	Hearsay, Lacks foundation / personal knowledge
954	6/9/2011	Pgs. 1-39			Hanssens M. Declaration in Support of Defendant's Opposition to Plaintiff's Motion for Class Action Certification in Hsiang, et al. v. L'Oreal	Hearsay, Lacks foundation / personal knowledge, Relevance
955	00/00/2015	Pgs. 1-8			Marketing Science Institute publication, "Emperical Generalizations about Marketing Impact", edited by Domnique Hanssens	Hearsay, Lacks foundation / personal knowledge

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
961	4/6/2012	Pgs. 1-38			Dominique M. Hanssens Declaration in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification in Altamura v. L'Oreal	Hearsay, Lacks foundation / personal knowledge, Relevance
962	2/12/2019	Pgs. 1-42		HC	Second Expert Report of George G. Strong	Hearsay, Lacks foundation / personal knowledge
963	9/00/2016	LO_USA0003439	LO_USA0003544	HC	Salon Hair Care: US Market Analysis and Opportunities	Hearsay, Lacks foundation / personal knowledge, authentication
964	5/00/2018	Pgs. 1-80			Salon Hair Care: US Market Analysis and Opportunities	Hearsay, Lacks foundation / personal knowledge, Authentication
965	1/29/2019	Pgs. 1-191		HC	Expert Report of George G. Strong	Hearsay, Lacks foundation / personal knowledge
966	00/00/0000	Pgs. 1			Strong Hand written notes	Hearsay, Lacks foundation / personal knowledge, Authentication, Relevance
1000	2/12/2019	Pgs 1-193		HC	Rebuttal Expert Report of W. Todd Schoettelkotte	Hearsay, Lacks foundation / personal knowledge
1000A	1/29/2019	Pgs. 1-283		HC	Opening Expert Report of Edward T. Borish	Hearsay, Lacks foundation / personal knowledge
1001	12/21/2018	Pgs 12/21/2018			Defendants' Sixth Supplemental Objections and Responses to Interrogatory No. 2 and First Supplemental Objections and Responses to Plaintiffs' Interrogatory Nos. 9 and 24	Hearsay, Lacks foundation / personal knowledge
1001A	00/00/0000	Pgs. 1-36			Exhibit AF-6- Photograph of styling product	Hearsay, Lacks foundation / personal knowledge, Authentication, Incomplete Document
1002	12/31/2016	LO USA0075976	Pgs. 1-34		L'Oreal PH Bonder 2016 Sales Chart	
1003	12/31/2016	LO USA0075977	Pgs 1-34		L'Oreal PH Londer 2016 Units Chart	Hearsay, Lacks foundation / personal knowledge, Authentication
1005	10/31/2016	OLA 0000000032	OLA 0000000048	Confidential	Amendment No. 1 to Liqwd Inc. License Agreement to Olaplex LLC	
1005A	5/8/2017	Pgs. 1-13			Exhibit AF-28- Uberbliss webpage printout	
1006	7/1/2015	LO USA0026570	LO USA0026593	HC	L'Oreal Professional Products - Project Olivia Investment Committee presentation document	Hearsay, Lacks foundation / personal knowledge, Authentication

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
1008	2/12/2019	Pgs 1-298		HC	Rebuttal Expert Report of Edward T. Borish	Hearsay, Lacks foundation / personal knowledge
1009	00/00/0000	LO USA0010257	LO USA0010275		Exhibit 9 to Expert Report of Benny D. Freeman on Invalidity	
1010	00/00/000	LO USA0075042	LO USA0075259		Exhibit 15 to Expert Report of Benny D. Freeman on Invalidity	
1012	6/19/2008	LO USA0075919	LO USA0075975		Exhibit 11 to Expert Report of Benny D. Freeman on Invalidity	
1013	2/12/2019	Pgs 1-42		HC	Second Expert Report of George G. Strong, J.R.	Hearsay, Lacks foundation / personal knowledge
1015	4/24/2013	Pgs. 1-36			Exhibit D- The Science of Persulfate Activation, "Soil and Ground Water Remediation"	Hearsay, Lacks foundation / personal knowledge, Authentication
1018	1/11/1972	LO USA0075788	LO USA0075801		Exhibit 26 to Expert Report of Benny D. Freeman on Invalidity	
1019	00/00/1970	Pgs. 1-11			Journal of Polymer Science: Part A-1- "Endgroup Analysis of Isolated (Methyl Methacrylate) from Graft Copolymers of Wood"	
1020	7/00/2016	Pgs. 1-15			J. Soc. Cosmet. Chem., "Reduction of human hair by cysteamine and ammonium thioglycolate: A correlation of amino acid analysis and single-fiber tensile kinetic data"	
1021	12/12/2017	Pg 1 of 1			DiSpensa NY Cosmetology License	Authentication, Hearsay, Relevance
1021A	10/14/1969	LO USA0070499	LO USA0070503		Exhibit 6 to Expert Report of Benny D. Freeman on Invalidity - Dasher Patent 3,472,604	
1022	12/12/2017	Pg 1-5			Olaplex web printout - Olaplex-How it Works	
1022A	8/00/1974	LO USA0075746	LO USA0075760		Exhibit 25 to Expert Report of Benny D. Freeman on Invalidity - J. Soc. Cosmet. Chem 24,407-421 Article: Polymerization into Human Hair by Robbins, etc.	
1023	00/00/0000	Pgs 1-32			Chromatics - The Evolution of Hari Color - Technical and Training Manual	Authentication, Hearsay, Lacks Foundation / personal knowledge, Relevance
1026	7/1/2015	LO USA0041358	LO USA0041382	HC	L'Oreal Professional Products - Project Olivia Investment Committee presentation document	Hearsay, Lacks foundation / personal knowledge, Authentication
1027	8/31/2018	Pg 1 of 1		HC	Exhibit 23- Comparison of Olaplex and L'Oreal Margins	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
1028	10/31/2016	OLA 0000000032	OLA 0000000048	Confidential	Amendment No. 1 to Liqwd Inc. License Agreement to Olaplex LLC	
1029	6/19/1988	Pgs 1-15			Strategic Management Journal: First-Mover (Dis)Advantages: Retrospective and Link with the Resource-Based View -Authors: Marvin B. Lieberman and David B. Montgomery	Hearsay, Lacks foundation / personal knowledge
1030	7/6/2017	Pgs 1-15			Liqwd and Olaplex v. L'Oreal Memorandum Order	MIL, Hearsay 403, Relevance, Lacks foundation / personal knowledge
1031	10/14/2018	Pgs 1-45		Under Seal	Liqwd and Olaplex v. L'Oreal Report and Recommendation	MIL, Hearsay, 403, Relevance, Lacks foundation / personal knowledge
1032	1/16/2018	Pgs 1-20			US Court of Appeals for the Federal Circuit Notice of Entry of Judgment accompanied by Opinion	MIL, Hearsay, 403, Relevance, Lacks foundation / personal knowledge
1033	5/16/2017	Pg 1 of 1		HC	Schoettelkotte Deposition Excerpt 37:10-19	Hearsay, Lacks foundation / personal knowledge Incomplete Document
1034	5/25/2017	Pgs 1-7		Confidential	Rebuttal Declaration of Edward T. Borish, Ph.D. in support of Olaplex's Motion for Preliminary Injunction Volume 1 of 2	Hearsay, Lacks foundation / personal knowledge
1035	5/11/2017	Pg 1 of 1		HC	Leslie Marino Deposition Excerpt 59:16-25	Hearsay, Lacks foundation / personal knowledge Incomplete Document
1036	5/11/2017	Pg 1 of 1		HC	Leslie Marino Deposition Excerpt 44:2-8	Hearsay, Lacks foundation / personal knowledge Incomplete Document
1050	3/18/2018	Pgs 1-3			Tallman email exchange with Walden re deposition	
1051	12/3/2018	Pgs 1-19			Tallman Deposition Subpoena	
1052	5/3/2014	Pgs 1-17			Tallman text messages exchange with Christal re perm	
1053	4/1/2014	Pg 1 of 1			Tallman instagram post - brunette to blonde	
1054	4/12/2014	Pg 1 of 1			Tallman instagram post - lightening	
1055	4/13/2014	Pg 1 of 1			Tallman instagram post - hair color	
1056	4/18/2014	Pg 1 of 1			Tallman instagram post - hair color	
1057	5/2/2014	Pg 1 of 1			Tallman instagram post - perm	
1058	5/7/2014	Pg 1 of 1			Tallman instagram post - Olaplex products	

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1059	6/21/2014	Pgs 1-2			Tallman email exchange with Christal re testimonial, product order	
1079	10/29/2015- 7/27/2018	Gelest 0436	Gelest 0535	HC	Gelest and Cosway email exchanges with Olaplex	
1081	3/6/2019	Pgs 1-6			Webarchive.org Olaplex.com Printout	
1082	12/00/2014	Pgs 1-5			Material Safety Data Sheet - Finished Product - Olaplex Bond Multiplier No. 1	
1083	6/00/2014	Pgs. 1-5			Material Safety Data Sheet - Finished Product - Olaplex Bond Perfector No. 2	
1086	10/18/2017	Pgs. 1-39			Olaplex to Conde re #Olaplex Holiday	
1089	3/27/2014	Pgs. 1-2			West Hollywood Colorist Instagram post printout	
1090	6/1/2014	Pgs. 1-2			West Hollywood Colorist Instagram post printout	
1090A	6/19/2014- 6/24/2014	Pgs. 1-60			Cosway Batch Card Control Check Review assorted documents	
1091	6/1/2014	Pgs. 1-2			Instagram post printout	
1091A	8/22/2014- 8/28/2014	Pgs. 1-73			Cosway Batch Card Control Check Review assorted documents	
1092	6/18/2014	Pgs. 1-2			Instagram post printout	
1092A	8/29/2014- 9/2/2014	Pgs 1-25			Cosway Batch Card Control Check Review assorted documents	
1093	4/1/2014	Pgs. 1-2			West Hollywood Colorist Instagram post printout	
1093A	4/4/2017- 4/10/2017	Pgs 1-44			Hamilton email to Leung, Goget, DeGeorge, Singer, Elsen, Shaw, Sood, Nguyen Boulineau, Zellner, Danielski, Isidor, Bryant, Applebaum, David, Soliman, Norwood, Gonzalez-Toro re Olaplex Update Meeting Recap	
1094	5/22/2014	Pgs. 1-2			Instagram post printout	
1094A	1/29/2015- 4/1/2015	Pgs 1-27			Cosway Batch Card Control Check Review assorted documents	
1095	9/14/2016 - 1/9/2017	Pgs 1-8			Olaplex Purchase Order, Cosway invoices billed to Olaplex	
1096	4/22/2014	Pg 1 of 1			Martinez email to McCarthy, More re Olaplex Status	
1097	4/22/2014	Pg 1 of 1			Olaplex Order Status spreadsheet	
1098	5/6/2014	Pgs 1-2			Christal email chain with McCarthy re Hair perfector	
1099	5/27/2014	Pg 1 of 1			Darcy Christal email to McCarthy, Dean and Darcy Christal re Lables	
1100	7/11/2014	Pgs 1-4			Sandoval email with McCarthy cc: Simon, Aquino, Mora re MSDS Sheets	

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
1100A	00/00/0000	Pg 1 of 1			Edward T. Borish Rebuttal Report Errata	Hearsay, Lacks foundation/personal knowledge
1101	3/6/2019	Pgs. 1-5			Material Safety Data Sheet - Olaplex Bond Perfector No. 2/Olaplex Hair Perfector No. 3	
1101A	3/15/2019	Pgs 1-6			Tracey Cunningham Instagram Post	Hearsay
1102	7/21/2014	Pg 1 of 1			Mora email to Martinez, Camacho, Mina, Garcia cc; Kaprielian, McCarthy re 545-6500	
1103	7/24/2014	Pg 1 of 1			Martinez email to McCarthy, More re Gelest	
1103A	9/29/2013	Pg 1 of 1			38 Surprising facts about trust in social media posted by Rob Petersen	Hearsay, Lacks foundation/personal knowledge
1104	11/7/2014	Pg 1 of 1			Mora email to Martinez, Camacho, Mina, Garcia cc; Kaprielian, McCarthy re 545-6500	
1104A	7/10/2012	Pgs 1-9			Webbed Feet article: Influence of social media on travel posted by Fabienne Wintle	Hearsay, Lacks foundation/personal knowledge
1105	11/4/2014	Pg 1 of 1			Gelest Packing List for Order No. 1488676	
1106	11/11/2014	Pg 1 of 1			Martinez email exchange with Kaprielian, Chevez, McCarthy cc: Lai, Farrell, Mora, Camacho re 545-6500	
1107	11/18/2014	Pgs 1-2			Russo email exchange with McCarthy cc: Roeber, Mora re Olaplex	
1108	2/3/2015	Pg 1 of 1			Simon email to Hough, Kaprielian, McCarthy, Mora, Garcia, Mina, Lozano, Friedman, Strange, Farrell, Martinez, Chevez, Villanueva, Mamalayan cc: Flores re Olaplex 545-7035	
1109	9/4/2014	Pgs 1-10			Cosway Invoice 168649 to Olaplex with supporting documents	
1110	9/5/2014	Pgs 1-8			Cosway Invoice 168669 to Olaplex with supporting documents	
1111	8/6/2014	Pgs 1-8			Cosway Invoice 168034 to Olaplex with supporting documents	
1112	9/4/2014	Pgs 1-10			Cosway Invoice 168648 to Olaplex with supporting documents	
1113	7/17/2015	Pgs 1-8			Cosway Invoice 175768 to Olaplex with supporting documents	
2001	11/22/2016				Certified Copy of US Patent 9,498,419 B2	
2002	6/6/2017				Certified Copy of US Patent 9,668, 954 B2	
2003	1/4/2019	Pgs 1-83			Defendants' Objections and Answers to Plaintiffs' First Set of Requests for Admission	Hearsay

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2004	3/8/2017	Pgs. 1-10		Confidential	Defendants' Objections and Responses to First Set of Interrogatories Set No. 1	Hearsay, Incomplete document, 403
2005	4/12/2018	Pgs 1-19		HC	Defendants' Objections and Responses to Third Set of Preliminary Injunction Interrogatories (Nos. 3-4)	Hearsay, Incomplete document, 403
2006	4/12/2018	Pgs 1-37		HC	Defendants' Objections and Responses to Plaintiffs' Fourth Set of Interrogatories (Nos. 5-12)	Hearsay, Incomplete document, 403
2007	4/25/2018	Pgs 1-17		HC	Defendants' Objections and Responses to Plaintiffs' Second Interrogatory	Hearsay, Incomplete document, 403
2008	4/26/2018	Pgs 1-23		HC	Defendants' Second Supplemental Objections and Responses to Plaintiffs' Second Interrogatory	Hearsay, Incomplete document, 403
2009	5/8/2018	Pgs 1-31		HC	Defendants' Third Supplemental Objections and Responses to Plaintiffs' Second Interrogatory	Hearsay, Incomplete document, 403
2010	11/13/2018	Pgs 1-82		HC	Defendants' Fifth Supplemental Objections and Responses to Plaintiffs' Second Interrogatory	Hearsay, Incomplete document, 403
2011	12/3/2018	Pgs 1-51		HC	Defendants' Objections and Responses to Plaintiffs' Fifth Set of Interrogatories (Nos. 13-20)	Hearsay, Incomplete document, 403
2012	12/3/2018	Pgs 1-39		HC	Defendants' Objections and Responses to Plaintiffs' Sixth Set of Interrogatories (Nos. 21-24)	Hearsay, Incomplete document, 403
2013					Intentionally Blank	
2014	2/15/2019	Pgs 1-376		HC	Defendants' First Supplemental Objections and Responses to Plaintiffs' Interrogatory Nos. 3-7 and 11; Defendants' Second Supplemental Objections and Responses to Plaintiffs' Interrogatory Nos. 1, 9 and 24; and Defendants' Seventh Supplemental Objections and Responses to Plaintiffs' Interrogatory No. 2	Hearsay
2015	3/8/2017	Pgs 1-16			Defendants' Objections and Responses to Plaintiffs' First Set of Preliminary Injunction Requests for Production of Documents and Things	Hearsay, Lacks foundation/personal knowledge
2016	5/10/2017	Pgs 1-7			Defendants' Objections and Responses to Plaintiffs' Second Set of Preliminary Injunction Requests for Production of Documents and Things	Hearsay, Lacks foundation/personal knowledge
2017	5/18/2017	Pgs 1-12			Defendants' Objections and Responses to Plaintiffs' Third Set of Preliminary Injunction Requests for Production of Documents and Things	Hearsay, Lacks foundation/personal knowledge
2018	5/30/2017	Pgs 1-11			Defendants' Objections and Responses to Plaintiffs' Fourth Set of Preliminary Injunction Requests for Production of Documents and Things	Hearsay, Lacks foundation/personal knowledge

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2019	4/12/2018	Pgs 1-15		HC	Defendants' Objections and Responses to Plaintiffs' Fifth Set of Preliminary Injunction Requests for Production of Documents and Things (Nos. 8-10)	Hearsay, Lacks foundation/personal knowledge
2020	4/12/2018	Pgs 1-81		HC	Defendants' Objections and Responses to Plaintiffs' Sixth Set of Preliminary Injunction Requests for Production of Documents and Things (Nos. 10-42)	Hearsay, Lacks foundation/personal knowledge
2021	4/30/2018	Pgs 1-20		HC	Defendants' Objections and Responses to Plaintiffs' Seventh Set of Preliminary Injunction Requests for Production of Documents and Things (Nos. 43-45)	Hearsay, Lacks foundation/personal knowledge
2022	11/13/2018	Pgs 1-30		HC	Defendants' Objections and Responses to Plaintiffs' Eighth Set of Preliminary Injunction Requests for Production of Documents and Things (Nos. 46-52)	Hearsay, Lacks foundation/personal knowledge
2023	1/31/2019	Pgs 1-45		Confidential-Filed Under Seal	Plaintiffs' Third Amended Complaint	Hearsay, Lacks foundation/personal knowledge
2024	6/4/2018	Pgs 1-33		HC-Filed Under Seal	Rebuttal Supplemental Declaration of Nisha Mody, PhD in Further Support of Olaplex's Renewed Motion for a Preliminary Injunction	Hearsay, Authentication, Lacks foundation / personal knowledge
2025	4/26/2017	Pgs 1-9			USPTO Notice of Allowance and Fees Due - Title of Invention: Keratin Treatment Formulations and Methods	Incomplete Document, Authentication
2026	12/30/2016	OLA 0000094551	OLA 0000094552	HC	Monheit email to Warlden forwarding 5/18/2015 email exchange with Christal re Patent applications	Hearsay, Authentication, Lacks foundation/personal knowledge, Incomplete document, 403
2027	3/2/2015	OLA0000025561	OLA0000025563	Confidential	Christal email exchange with Schwartz re L'Oreal with forwarded email from Hawker	MIL, Hearsay, Relevance, 403
2028	5/26/2015	LO USA0038593	LO USA0038595	HC	Allard email to Attal, Habif, Ascione, Pahin, Evrard, Verhulst-Santos, Pivet, Roze, Kunetz, Parenty, Morgan, Mulliez, Schmitt, Milosh cc: Cervantes, Dolden, Gringauz, Deroy, Vermlee re Olivia Meeting with Owner/Scientist on May 19th -R&I Assessment Executive Summary - Strictly Confidential	
2029	00/00/0000	LO USA0039240	LO USA0039249	HC	L'Oreal Corporate Strategic Marketing USA CMO Alert - Brand Snapshot Olaplex	
2030	6/11/2015	LO USA0028752	LO USA0028752	HC	Kunetz email to Pivet cc: Dolden re 15618 Olivia Investment Committee	Incomplete document, 403, Hearsay, Lacks foundation/personal knowledge

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2031	5/27/2015	LO USA0039210	LO USA0039211	HC	Habif email exchange with Boulineau re Olaplex lab screening	Hearsay, Authentication, Lacks foundation / personal knowledge
2032	5/28/2015	LO USA0039417	LO USA0039419	HC	LaHaye email to Habif, Ascione, LeGrand, Kanji, Goget, Potin, DeGeorge, Applebaum, De La Bandera, Hamilton, Boulineau re Olaplex lab screening	Hearsay, Authentication, Lacks foundation / personal knowledge
2033	5/00/2015	OLA 0000017829	OLA0000017829	HC	Olivia - R&I Initial Assessment - May 2015 - Illustrative Discussion Points	
2034	7/14/2016	OLA 0000097214	OLA 0000097217	HC	Christal email to Rose re Olaplex patent situation with attached Letter Henkel and L'Oreal	Hearsay, Lacks foundation/personal knowledge
2035	7/00/2016	LO USA0001955	LO USA0001986	HC	Redken PH-Bonder - Target Pad July 2016	Hearsay, Lacks foundation/personal knowledge, Incomplete document, 403
2036	1/29/2019	Pgs 1-4			Exhibit 119 to the Expert Report of Benny D. Freeman, Ph.D. on Invalidity of U.S. Patent Nos. 9,489,419 and 9,668,954	
2037	6/21/2015	LO USA0002479	LO USA0002481	HC	Christal email exchange with Dolden re Income Statement/Licensing/Liqwd Inc. IP	
2038	6/16/2016	LO USA0002576	LO USA0002590	HC	L'Oreal Officialization International re Matrix Bond Utim8 - Step 1 from Boulineau, Santiago to DGO-Information Technique Demandes	
2039	00/00/0000	LO USA0003693	LO USA0003696	HC	Matrix Bond Utim8 Launch Details	Incomplete document, Hearsay, Lacks foundation/personal knowledge, 403
2040	6/4/2015	LO USA0013612	LO USA0013625	HC	Olivia Project	
2041	10/31/2016	LO USA0018677	LO USA0018677	HC	L'Oreal R&I Product Performance Evaluation	
2042	5/26/2015	LO USA0026726	LO USA0026727	HC	Dolden email to Staats, Lazard.com re Project Olivia-Meeting with Owner/Scientis - Strictly Confidential with forwarded emails from Dolden to Agon with attached notes	
2043	6/13/2015	LO USA0026801	LO USA0026802	HC	Dolden email to Kunetz forwarding Christal email re Olivia	
2044	5/12/2015	LO USA0028226	LO USA0028226	HC	Dolden email to Kunetz re Project Olivia	
2045	3/27/2015	LO USA0029198	LO USA0029198	HC	Kunetz memo to Evrard, Dolden cc: Fontain, Parenty,Pivet, Verhulst-Santos, Roze, Hieronimus re Object: Olaplex	

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2046	5/23/2016	LO USA0038819	LO USA0038821	HC	Chin email exchange with Bemlouka cc: Wilkerson, Cielenski, Lee, Nashed, Schienvar, Mill, Deschryver, Dorne, Potin, Shum, Kunkel, Marino re Standards	
2047	5/28/2015	LO USA0039327	LO USA0039329	HC	Habif email to Ascione, LeGrand, Goget, Lahaye, Potin, DeGeorge, Kanji, Boulineau re Olaplex lab screening	
2048	6/19/2015	LO USA0039436	LO USA0039437	HC	Goget email to LeGrand, Ascione, Kanji, Habif, Velkov, Applebaum, Norwood, Soliman, Potin cc: Boulineau, Hamilton, DeGeorge re Bonding project - Action plan f or next week	
2049	7/23/2014	LO USA0039541	LO USA0039548	HC	DeGeorge email to Crim cc: Goget, LeGrand re Olaplex MSDS with attachments	
2050	4/8/2016	LO USA0040000	LO USA0040001	HC	Roby email to Marino re Bond Protectors	
2051	6/30/2015	LO USA0041492	LO USA0041493	HC	Dolden email exchange with Milosh, Pivet, Kunetz cc: Schmitt, Morgan, Fluck, Kerschner, Chabot re Olivia - Make Launch Dates	Hearsay, Lacks foundation/personal knowledge, 403
2052	6/9/2015	LO USA0053860	LO USA0053865	HC	Roze email exchange wit Dolden, Attal, Challes, Ascione cc: Evrard, Schmitt, Morgan, Mulliez re Olivia	Hearsay, Lacks foundation/personal knowledge, 403
2052	00/00/0000	LO USA0063784	LO USA0063797	HC	Experiment Chart of number of swatches for cysteic acid	
2053	00/00/0000	LO USA0063972	LO USA0063973	HC	Topline Results - Additive Bonding Brushing 3X - EV1511-0770	Authentication, Hearsay, Lacks foundation / personal knowledge, incomplete document
2054	12/7/2015	LO USA0067643	LO USA0067643	HC	L'Oreal R&I Bonding Additive w/ Treatment - Workshop December 7, 2015, Clark NJ	
2055	4/21/2016	LO USA0072274	LO USA0072279		London Evening Standard article: Olaplex: Everything you need to know about the 'Holy Grail' of hair treatments by Jordanna Cobella	Hearsay, Authentication, Lacks foundation/personal knowledge
2056	7/30/2010	LO USA0075336	LO USA0075352		Evans, Park Article in J. Cosmet. Sci. 61, 439-455 (November/December 2010: A statistical analysis of hair breakage.II. Repeated grooming experiments	
2057	3/22/2019	Pgs.1-22		HC	Defendants' Privilege Log	Hearsay, Lacks foundation/personal knowledge, 403
2058	6/30/215	LO USA0026595	LO USA0026645	HC	Project Olivia Pre d/d Business Plan Draft includes: Acquisition Scenario, Make (18) Scenario v. 1-1-0	Hearsay, Lacks foundation/personal knowledge, 403

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2059	4/2/2019	Pgs 1-9			Cosmetics Filing Service a webpage at https://www.thomasnet.com/products/cosmetics-filling-services-95902011-1.html	Hearsay, Authentication, Lacks foundation / personal knowledge, 403
2060	6/14/2018	Pgs 1-37			Exane BNP Paribas presentation at https://www.loreal-finance.com/_docs/0000000195/Exane_June2018.pdf ,	Hearsay, Authentication, Lacks foundation / personal knowledge, 403
2061	12/7/2018	Pgs. 1-80			Plaintiffs' Objections and Response to L'Oreal's 30b6 Deposition Notice	Hearsay, Relevance, 403
2062	3/23/2016	OLA 0000026822	OLA 0000026829		L'Oreal Safety Data Sheet: Product Name: Redken pH Bonder Step 1	Authentication, Hearsay, Lacks foundation / personal knowledge
2063	5/3/2016	OLA 0000026830	OLA 0000026837		L'Oreal Safety Data Sheet: Product Name: Redken Bonding Technical Step 2 & Pre-Cleanse Treatment	Authentication, Hearsay, Lacks foundation / personal knowledge
2064	8/25/2016	OLA 0000026838	OLA 0000026845		L'Oreal Safety Data Sheet: Product Name: L'Oreal Professional Bonding Technical Step 2	Authentication, Hearsay, Lacks foundation / personal knowledge
2065	00/00/0000	OLA 0000026867	OLA 0000026867		Bond Ultim8 Bond Protecting System Label	Authentication, Hearsay, Lacks foundation / personal knowledge
2066	00/00/0000	OLA 0000026868	OLA 0000026870		Matrix Bond Ultim8 Protecting System Instructions	Authentication, Hearsay, Lacks foundation / personal knowledge
2067	00/00/0000	OLA 0000026871	OLA 0000026876		Redken PH-Bonder Brochure	Authentication, Hearsay, Lacks foundation / personal knowledge
2068	00/00/0000	OLA 0000026882	OLA 0000026883		L'Oreal Smart Blond Instructions	Authentication, Hearsay, Lacks foundation / personal knowledge
2069	12/16/2016	OLA 0000026884	OLA 0000026985		Summary Report of three kits of haircare products received from SalonCentric 12/1/2016	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document, 403

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2070	00/00/0000	OLA 0000026987	OLA 0000026987		Matrix Ultim8 Box Label	Hearsay, Lacks foundation/personal knowledge, Authentication, Incomplete document, 403
2071	00/00/0000	OLA 0000026988	OLA 0000026988		Redken Bond Protecting Additive Box Label	Authentication, Hearsay, Lacks foundation / personal knowledge, Incomplete document
2072	8/24/2016	OLA 0000026989	OLA 0000026996		L'Oreal USA Safety Data Sheet Product Name: L'Oreal Professional Smartbond Step 1 Additive	Authentication, Hearsay, Lacks foundation / personal knowledge
2073	00/00/0000	OLA 0000026998	OLA 0000026998		L'Oreal Bottle ingredients Screenshot	Authentication, Hearsay, Lacks foundation / personal knowledge, Incomplete Document
2074	00/00/0000	OLA 0000027677	OLA 0000027677		Redken PH- Bonder bond protecting additive Label	Authentication, Hearsay, Lacks foundation / personal knowledge, Incomplete Document
2075	00/00/0000	OLA 0000094553	OLA 0000094600	HC	LIQ 103 PCT: Keratin Treatment Formulations and Methods Cross-Reference to Related Applications	Incomplete Document, Authentication, Lacks foundation / personal knowledge
2076	6/11/2015	OLA 0000095279	OLA 0000095281	HC	Christal email exchange with Dolden re Project Olivia	Hearsay, Lacks foundation/personal knowledge
2077	2/8/2014	DEFS000017386/OLA 0000115101	DEFS000017386/OLA 0000115101	Confidential/HC	Devries email to info@olaplex.com re salons in Maryland using Olaplex	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2078	2/8/2014	DEFS000017387/OLA 0000115102	DEFS000017387/OLA 0000115102	Confidential/HC	Thavenius email to info@olaplex.com re Salon Locations	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2079	2/8/2014	DEFS000017389/OLA 0000115104	DEFS000017389/OLA 0000115104	Confidential/HC	Gemienhardt email to info@olaplex.com re salon in Columbus Ohio	Hearsay, Authentication, Lacks foundation/personal knowledge, 403

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2080	2/6/2014	DEFS000017390/OLA 0000115105	DEFS000017390/OLA 0000115105	Confidential/HC	Pryal email to info@olaplex.com re salon in Pittsburgh PA	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2081	2/6/2014	DEFS000017391/OLA 0000115106	DEFS000017391/OLA 0000115106	Confidential/HC	Lisa Gee email to info@olaplex.com re salon in Danville Illinois	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2082	2/5/2014	DEFS000017392/OLA 0000115107	DEFS000017392/OLA 0000115107	Confidential/HC	Finnan email to info@olaplex.com re salon in Sarasota/Bradenton Florida	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2083	2/4/2014	DEFS000017396/OLA 0000115111	DEFS000017396/OLA 0000115111	Confidential/HC	Envebeauty email to info@olaplex re Product Info	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2084	2/4/2014	DEFS000017397/OLA 0000115112	DEFS000017397/OLA 0000115112	Confidential/HC	Glass email to info@olaplex re salons in Idaho and services	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2085	2/14/2014	DEFS000017405/OLA 0000115120	DEFS000017405/OLA 0000115120	Confidential/HC	Martin email to info@olaplex re need information on Olaplex	Hearsay, Authentication, Lacks foundation/personal knowledge, 403
2086	1/31/2016	OLA 00000119197	OLA 00000119204		L'Oreal USA Safety Data Sheet Product Name: Matrix Bonding Conditioner	Authentication, Hearsay, Lacks foundation / personal knowledge
2087	5/13/2015	LO USA0028442	LO USA0028463	HC	Dolden email to Milosh, Schmitt, Pagliao, Parenty, Kunetz, Morgan, Fluck, Raginowitz, Huether, Carillon, Cervantes, Gringauz, Kerschner re Olivia Confidential with attachments and email from Kerschner to Milosh cc: Dolden, Morgan, Fluck re Oliva; Dolden 4/15/15 email to Kunetz cc: Hieronimus, Verhulst-Santos, Evrard, Pivet, Roze, Pagliano, Parenty, Fontaine re Oliva Owner's Intention/Structure-Confidential	
2088	5/8/2015	LO USA0056074	LO USA0056074	HC	Allard email exchange with Dolden re Olivia Initial Seller Request List with forwarded email from Kerschner to Dolden, Chabot cc: Pivet, Morgan, Parenty, Kunetz, Fluck with draft intial request	

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2089	7/24/2015	LO USA0023987	LO USA0023990	HC	Dolden email to Kunetz re L'Oreal is against Olaplex - serious local issue with forwarded email from Ivanoff to Christal	
2090	3/2/2015	OLA 0000015028	OLA 0000015029	Confidential	Recruitment email from L'Oreal to Eric Pressly	MIL, Hearsay
2091	7/21/2015	LO USA0030591	LO USA0030591	HC	L'Oreal S.A. July 2015 meeting notes.	
2092	3/23/2015	LO USA0029434	O USA0029434	HC	Kunetz email exchange with Habif cc: Roze, Parenty, Pivet, Dolden re Confidential Olaplex	Hearsay, Lacks foundation/personal knowledge
2093	3/23/2015	LO USA0035353	LO USA0035354	HC	Kunetz email exchange with Habif cc: Roze, Parenty, Pivet, Dolden re Confidential Olaplex	
2094	4/17/2015	LO USA0026698	LO USA0026699	HC	Dolden email to Dolden re Project Olivia -Our call today	
2095	4/28/2015	LO USA0028229	LO USA0028229	HC	Dolden email to Habif, Kunetz cc: Verhulst-Santos, Roze re Project Olivia	
2096	4/29/2015	LO USA0028263	LO USA0028263	HC	Dolden email to Allard cc: Habif, Gringauz re Project Olivia - Confidential	
2097	4/29/2015	LO USA0028567	LO USA0028567	HC	Dolden email to Habif cc Gringauz re Project Olivia - Confidential	
2098	4/29/2015	LO USA0049678	LO USA0049678	HC	Dolden email exchange with Habif, Gringauz re Project Olivia - Confidential	
2099	4/30/2015	LO USA0049679	LO USA0049681	HC	Dolden email to Kunetz cc: O'Rourke with forwarded emails from Dolden, Ascione re Project Olivia - Confidential	Hearsay, Lacks foundation/personal knowledge
2100	5/1/2015	LO USA0026556	LO USA0026561	HC	Dolden email to Kerschner, Fluck cc: Morgan re pre DD R&I assessment deck with attached Olivia Review Pre DD April 28 pptx	
2101	5/1/2015	LO USA0026562	LO USA0026568	HC	Dolden email to Habif cc: Kunetz, Pahin, Toutain, Ascione, Cervantes, Goget, Land re Pre DD R&I assessment deck with attached Olivia Review Pre DD April 28 pptx	
2102	5/1/2014	LO USA0056203	LO USA0056205	HC	Kunetz email exchange with Ascione, Habif, Dolden, Pivet, Roze cc Verhulst-Santos, Roman re Project Oliva - Confidential	
2103	5/4/2015	LO USA0029477	LO USA0029478	HC	Sharnsky email to Dolden re Olaplex Surveys - Results to date with forwarded email from Stults to Sharnsky, Fontaine cc: Meggo, Orzel	Hearsay, Lacks foundation/personal knowledge
2104	5/5/2015	LO USA0028644	LO USA0028646	HC	Dolden email exchange with Evrard cc: Schmitt, Parenty, Kunetz re Project Olivia - Confidential	Hearsay, Lacks foundation/personal knowledge, 403, MIL, Relevance

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2105	5/5/2015	LO USA0028654	LO USA0028656	HC	Dolden email exchange with Hieronimus, Attal, Evard, Verhulst-Santos, Ascione cc: Roze, Gringauz, Habif, Kunetz re Project Olivia - Confidential	
2106	5/5/2015	LO USA0035259	LO USA0035259	HC	Dolden email to Dolden re Project Olivia Notes on R&I Meeting	
2107	5/7/2015	LO USA0024119	LO USA0024120	HC	Dolden email to Allard re Olivia Request List - pre due diligence with attachment	
2108	5/13/2015	LO USA0028313	LO USA0028313	HC	Dolden email to Evard cc: Schmitt, Milosh, Kunetz re Project Olivia Update	Hearsay, Lacks foundation/personal knowledge, 403, MIL, Relevance
2109	5/15/2015	LO USA0035853	LO USA0035854	HC	Pagliano email to Dolden cc: Morgan re Project Olivia Concept of Incremental Sales/Value	Hearsay, Lacks foundation/personal knowledge
2110	5/19/2015	LO USA0037107	LO USA0037108	HC	Cervantes email to Gringauz cc: Sarakatsannis, Dolden, Habif re Project Olivia Summary of Confidentiality Requirements	
2111	5/20/2015	LO USA0028507	LO USA0028507	HC	Dolden email exchange with Allard, O'Rourke cc: Kunetz, Gringauz, Cervantes re Olivia Meeting May 19th - R&I Assessment	Hearsay, Lacks foundation/personal knowledge
2112	5/20/2015	LO USA0030581	LO USA0030588	HC	Cervantes email to Gringauz cc: Allard, Dolden, Habif, Kunez, O'Rourke re Olivia Meeting May 19th - R&I Assessment with attached Project Olivia Summary of Confidentiality Requirements	
2113	5/21/2015	LO USA0035519	LO USA0035519	HC	Gringauz email exchange with Allard, Dolden re Olivia Meeting May 19th - R&I Assessment	
2114	5/28/2015	LO USA0030594	LO USA0030601	HC	Niz email to Dolde, Gigliotti, Goget, Kunetz, Kanji, Land, Potin, Sarakatsannis, Srinivasan re Project Olivia Summary of Confidentiality Requirements with attachments	Hearsay, Lacks foundation/personal knowledge
2115	5/22/2015	LO USA0035067	LO USA0035068	HC	Allard email to Dolden, Gringauz cc: Cervantes re Olivia Meeting R&I assessment - Executive Summary with attached May 19th doc	
2116	5/25/2015	LO USA0028510	LO USA0028510	HC	Dolden email exchange with Gringauz cc: Allard, Cervantes re Olivia Meeting R&I assessment - Executive Summary	
2117	5/18/2015	LO USA0026542	LO USA0026551	HC	Dolden email exchange with Kunetz re Project Olivia Confidential with attachments	Hearsay, Lacks foundation/personal knowledge

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2118	5/26/2015	LO USA0048257	LO USA0048257	HC	Dolden email exchange with Gringauz cc: Allard re Olivia meeting with owner/scientist on May 19th-R&I assessment, executive summary - Strictly Confidential	Hearsay, Lacks foundation/personal knowledge
2119	5/27/2015	LO USA0023859	LO USA0023859	HC	Dolden email to Evrard cc: Attal, Ascione, Habif, Gringauz re Olivia/Olaplex with forwarded email from De LA Sauzay	Hearsay, Lacks foundation/personal knowledge
2120	5/27/2015	LO USA0039195	LO USA0039197	HC	Habif email exchange with DeGeorge cc: Boulineau, LaHaye re Olaplex experiement - need your input asap	Hearsay, Lacks foundation/personal knowledge
2121	5/00/2015	LO USA0028272	LO USA0028273	HC	Olivia-R&I Initial Assesment - May 2015- Illustrative Discussion Points	Hearsay, Lacks foundation/personal knowledge, Incomplete document
2122	5/28/2015	LO USA0026503	LO USA0026503	HC	Dolden email exchange with Kerschner re Opportunities in the Current Olivia BP	Hearsin, Lacks foundation/personal knowledge
2123	6/2/2015	LO USA0028647	LO USA0028647	HC	Dolden email exchange with Milosh re Project Olivia Plan B	
2124	6/3/2015	LO USA0039372	LO USA0039375	HC	Goget email exchange with Danielski cc: Boulineau re Olaplex lab screening	
2125	6/4/2015	LO USA0023858	LO USA0023858	HC	Dolden email to Dolden with attached emial from Milosh re debrief	Hearsay, Lacks foundation/personal knowledge
2126	6/4/2015	LO USA0024123	LO USA0024187	HC	Dolden email exchange with Kerschner re Olivia International BP with attachment	Hearsay, Lacks foundation/personal knowledge
2127	6/9/2015	LO USA0028307	LO USA0028307	HC	Dolden email to Ascione, Allard, Habif cc: Pivet, Roze, Kunetz, Cervantes re Project Olivia Patent	
2128	6/12/2015	LO USA0046570	LO USA0046570	HC	Dolden email to Evard, Roze, Pagliano cc: Schmitt re Olivia Purchase Price - Confidential	Hearsay, Lacks foundation/personal knowledge
2129	6/16/2015	LO USA0023995	LO USA00234043	HC	Dolden email exchange with Milosh cc: Kerschner re Latest Olivia Draft with Olivia pre due diligence attachment	Hearsay, Lacks foundation/personal knowledge
2130	6/18/2015	LO USA0023886	LO USA0023886	HC	Dolden email to Kerschner re Next Steps on Project Olivia with forwarded email from Pivet	Hearsay, Lacks foundation/personal knowledge

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2131	6/18/2015	LO USA0026885	LO USA0026885	HC	Dolden email exchange with Roze re Offer to Olivia	Hearsay, Lacks foundation/personal knowledge
2132	6/18/2015	LO USA0046522	LO USA0046522	HC	Dolden email to Staats re Olivia Earnout	Hearsay, Lacks foundation/personal knowledge
2133	6/18/2015	LO USA0053866	LO USA0053866	HC	O'Rourke email to Dolden re Project Olivia w/C. Muliez/DGAF with forwarded email from K. Funk	Hearsay, Lacks foundation/personal knowledge
2134	5/21/2015	LO USA0035504	LO USA0035504	HC	Allard email exchange with Gringauz, Dolden re Olivia Meeting - R&I assessment	
2135	6/19/2015	LO USA0039204	LO USA0039205	HC	Hamilton email exchange with Boulineau re Olivia Summary from last week and pending results	Hearsay, Lacks foundation/personal knowledge
2136	6/23/2015	LO USA0046503	LO USA0046503	HC	Dolden email exchange with Kunetz re Project Olivia BP Approval	Hearsay, Lacks foundation/personal knowledge
2137	5/22/2015	LO USA0025369	LO USA0025369	HC	Dolden email exchange with Kunetz re Olivia Memo - Draft	Hearsay, Lacks foundation/personal knowledge, Incomplete document
2138	00/00/0000	LO USA0028202	LO USA0028202	HC	Olivia - Comparative Outcomes for L'Oreal	Hearsay, Lacks foundation/personal knowledge, Incomplete document
2139	6/26/2015	LO USA0034050	LO USA0034050	HC	Kerschner email to Dolden re Olivia	Hearsay, Lacks foundation/personal knowledge, 403, MIL, Relevance
2140	6/26/2015	LO USA0023993	LO USA0023994	HC	Dolden email to Pagliano with forwarded email from Staats re Olivia	Hearsay, Lacks foundation/personal knowledge
2141	6/26/2015	LO USA0026506	LO USA0026507	HC	Dolden email exchange with Kerschner re Olivia	Hearsay, Lacks foundation/personal knowledge
2142	6/26/2015	LO USA0026799	LO USA26800	HC	Dolden email to Pagliano with forwarded email from Dolden to Chabot re Olivia - Challenge to the Brand	
2143	6/26/2015	LO USA0028437	LO USA0028439	HC	Dolden email exchange with Pagliano cc: Roze re Olivia - Challenge to the Brand	Hearsay, Lacks foundation/personal knowledge

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2144	6/26/2015	LO USA0028469	LO USA0028471	HC	Dolden email exchange with Pagliano cc: Roze re Olivia - Challenge to the Brand	Hearsay, Lacks foundation/personal knowledge
2145	6/26/2015	LO USA0035466	LO USA0035470	HC	Dolden email exchange with Pagliano cc: Roze re Olivia - Challenge to the Brand	Hearsay, Lacks foundation/personal knowledge
2146	6/26/2015	LO USA0038579	LO USA0038586	HC	Projet Olivia - June 26, 2015	
2147	6/28/2015	LO USA0041504	LO USA0041504	HC	Dolden email to Kunetz cc: Morgan re Olivia: preparing for JPA July 1 with forwarded email from Chabot	Hearsay, Lacks foundation/personal knowledge
2148	6/29/2015	LO USA0035856	LO USA0035863	HC	Staats email exchange with Dolden, Gringauz cc: Gianni re Project Olivia Earn Out with attachment	
2149	6/30/2015	LO USA0024121	LO USA0024122	HC	Dolden email exchange with Kunetz cc Morgan re Olivia International BP Buy Scenario	Hearsay, Lacks foundation/personal knowledge, MIL, 403, Relevance
2150	6/30/2015	LO USA0025366	LO USA0025367	HC	Dolden email to Staats, Kerschner re Olivia International BP Buy Scenario with forwarded email to Kunetz , Morgan	Hearsay, Lacks foundation/personal knowledge, MIL, 403, Relevance
2151	6/30/2015	LO USA0025368	LO USA0025368	HC	Dolden email to Kunetz, Morgan cc: Kirschner re Olivia International BP Buy Scenario Post AVS with forwarded email to Chabot	Hearsay, Lacks foundation/personal knowledge, MIL, 403, Relevance
2152	6/30/2015	LO USA0028681	LO USA0028682	HC	Dolden email exchange with Schmitt, Milosh cc: Morgan, Kerschner, Chabot, Varieras, Kunetz re SC Olivia Distribution	Hearsay, Lacks foundation/personal knowledge, MIL, 403, Relevance
2153	5/26/2015	LO USA00038587	LO USA00038589	HC	Allard email to Attal, Habif, Ascione, Pahin, Evrard, Cervantes, Dolden, Gringauz, Deroy, Vermlee re Olivia Meeting with Owner/Scientist on May 19th -R&I Assessment Executive Summary - Strictly Confidential with attachment	
2154	5/26/2015	LO USA0038590	LO USA0038592	HC	Dolden email to Gringauz cc: Allard re Olivia Meeting with Owner/Scientist on May 19th -R&I Assessment Executive Summary - Strictly Confidential with forwarded email from Allard	
2155	7/20/2015	LO USA0041188	LO USA0041188	HC	Dolden email to Evrard cc: O'Rourke re Project Olivia Investment Committee	Hearsay, Lacks foundation/personal knowledge, Relevance

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2157	7/20/2015	LO USA0064661	LO USA0064662	HC	Ascione email to LeGrand, Habif, Norwood, Applebaum, Goget, DeGeorge, Kanji, Boulineau, Lee, Velkov, Hamilton, LeBarbanchon, Chin, Loussouarn, Pataut, Collaudin, Potin re Bonding Project with JPA Meeting attachment	Hearsay, Lacks foundation/personal knowledge
2158	5/26/2015	LO USA0038596	LO USA0038596	HC	Gringauz email exchange with Dolden cc: Allard re Olivia Meeting with Owner/Scientist on May 19th -R&I Assessment Executive Summary - Strictly Confidential	
2159	7/21/2015	LO USA0038597	LO USA0038598	HC	Evrard email to Dolden re Olivia with Olaplex JPA meeting 21 July 2015 attachment and forwarded email from Ascione	Hearsay, Lacks foundation/personal knowledge
2160	7/24/2015	LO USA0049940	LO USA0049940	HC	Sharnsky email exchange with Dolden re Project Olivia	Hearsay, Lacks foundation/personal knowledge
2161	8/17/2015	LO USA0064912	LO USA0064922	HC	Habif email to LeGrand, Applebaum, Ascione, Goget, Potin, Boulineau, Velkov, Hamilton cc: Kanji re bonding with attachment - bonding update	Hearsay, Lacks foundation/personal knowledge
2162	8/19/2015	LO USA0023877	LO USA0023877	HC	Dolden email to Kunetz cc: O'Rourke with forwarded emails from Fontaine re Olaplex patent system	Hearsay, Lacks foundation/personal knowledge, 403, MIL, Relevance
2163	8/25/2015	LO USA0028668	LO USA0028668	HC	Dolden email exchange with Kunetz re Project Olivia/Sylvia	Hearsay, Lacks foundation/personal knowledge
2164	8/25/2015	LO USA0037111	LO USA0037111	HC	Kunetz email exchange with Dolden re re Project Olivia/Sylvia	Hearsay, Lacks foundation/personal knowledge
2165	5/27/2015	LO USA0039369	LO USA0039371	HC	Lee email to Potin, LeGrand, LaHaye, Goget, De La Bandera cc: Boulineau, Pataut, Applebaum re Olaplex experiment - Need your input ASAP	Hearsay, Lacks foundation/personal knowledge
2166	9/2/2015	LO USA0026853	LO USA0026854	HC	Dolden email to Dolden re Project Olivia - Notes of Yesterday's Meeting with Dean Christal - Confidential	Hearsay, Lacks foundation/personal knowledge
2167	10/10/2015	LO USA0049927	LO USA0049927	HC	Sharnsky email exchange with Dolden re Olivia	Hearsay, Lacks foundation/personal knowledge
2168	6/11/2015	LO USA0023900	LO USA0023958	HC	Dolden email exchange with Kerschner re 150618 Olivia Investment Committee with attachment and forwarded email from Chabot	Hearsay, Lacks foundation/personal knowledge

Trial Exhibit/Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2169	6/19/2015	LO USA0023891	LO USA0023891	HC	Dolden email to Kerschner re New Assumptions with forwarded email from Kunetz	Hearsay, Lacks foundation/personal knowledge
2170	6/30/2015	LO USA0023829	LO USA0023829	HC	Dolden email to Morgan, Kunetz cc: Parenty, Fluck, Kerschner re Buy Plan Partner Brands?	Hearsay, Lacks foundation/personal knowledge
2171	9/1/2015	LO USA0026736	LO USA0026737	HC	Project Oliva - Notes of September 1 Meeting with Dean Cristal - Confidential	
2172	9/14/2016	LO USA0020777	LO USA0020783	HC	L'Oreal Product Performance Evaluation- Evaluation of the Fiber Integrity Treated with Perm Products by Means of Tensile Test	
2173	00/00/0000	LO USA0023857	LO USA0023857	HC	Penetration or Achievement of Theoretical Potential in Bleach versus Color Markets chart	Hearsay, Lacks foundation/personal knowledge, Incomplete document
2174					Olaplex Salon Intro Kit: No. 1 Bond Multiplier and No. 2 Bond Perfector Kit	Defendants object to this exhibit because Plaintiffs identified this exhibit for the first time at 9:42 pm on May 14, 2019, without providing the exhibits or access to them to enable Defendants to adequately assess the exhibit for potential objections. Further, to the extent Defendants understand what this exhibit is, Defendants object to the exhibit under the following: Relevance, 403, Lacks foundation / personal knowledge, Authentication, not produced in discovery

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2175					Olaplex Step 3	Defendants object to this exhibit because Plaintiffs identified this exhibit for the first time at 9:42 pm on May 14, 2019, without providing the exhibits or access to them to enable Defendants to adequately assess the exhibit for potential objections. Further, to the extent Defendants understand what this exhibit is, Defendants object to the exhibit under the following: Relevance, 403, Lacks foundation / personal knowledge, Authentication, not produced in discovery
2176					Olaplex Traveling Stylist Kit	Defendants object to this exhibit because Plaintiffs identified this exhibit for the first time at 9:42 pm on May 14, 2019, without providing the exhibits or access to them to enable Defendants to adequately assess the exhibit for potential objections. Further, to the extent Defendants understand what this exhibit is, Defendants object to the exhibit under the following: Relevance, 403, Lacks foundation / personal knowledge, Authentication, not produced in discovery

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2177					L'Oreal Smartbond Systems	Defendants object to this exhibit because Plaintiffs identified this exhibit for the first time at 9:42 pm on May 14, 2019, without providing the exhibits or access to them to enable Defendants to adequately assess the exhibit for potential objections. Further, to the extent Defendants understand what this exhibit is, Defendants object to the exhibit under the following: Relevance, 403, Lacks foundation / personal knowledge, Authentication, not produced in discovery
2178					Redken pH Bonder Systems	Defendants object to this exhibit because Plaintiffs identified this exhibit for the first time at 9:42 pm on May 14, 2019, without providing the exhibits or access to them to enable Defendants to adequately assess the exhibit for potential objections. Further, to the extent Defendants understand what this exhibit is, Defendants object to the exhibit under the following: Relevance, 403, Lacks foundation / personal knowledge, Authentication, not produced in discovery

50284

Trial Exhibit/ Deposition Exh. No.	Document Date	Begin Bates No.	End Bates No.	Confidentiality Designation	Description	Defendants' Objections
2179					Matrix Bond Utim8 Bond Protecting Systems	Defendants object to this exhibit because Plaintiffs identified this exhibit for the first time at 9:42 pm on May 14, 2019, without providing the exhibits or access to them to enable Defendants to adequately assess the exhibit for potential objections. Further, to the extent Defendants understand what this exhibit is, Defendants object to the exhibit under the following: Relevance, 403, Lacks foundation / personal knowledge, Authentication, not produced in discovery

DEFENDANTS' OBJECTION CODES TO PLAINTIFFS' TRIAL EXHIBIT LIST

CODE	DESCRIPTION	BASIS
Relevance	Not relevant	FRE 401-402
403	Prejudice outweighs probative value	FRE 403
Lacks foundation/ personal knowledge	Lacks foundation/personal knowledge (assumes facts not in evidence, speculative, lacking reasonable basis or logical support)	FRE 602, 611, 901
Hearsay	Hearsay if offered for the truth of the matter asserted	FRE 801-802, 805
Improper compilation of separate documents	Improper compilation of separate documents	FRE 403, 901
Incomplete document	Incomplete document	FRE 106, 403
Not produced in discovery	Exhibit was not produced during discovery	FRE 403; FRCP 26, 37
Authentication	Requires authentication or identification	FRE 901
Best Evidence Rule	Best evidence rules prohibit introduction	FRE 1001-1002
Privileged	Attorney Client Privilege or Work Product	FRE 501-502
MIL	Exhibit Subject to Motion <i>in Limine</i>	FRE 103